CALENDAR OF THE
CHARTERS &c.
OF THE CITY AND COUNTY OF
BRISTOL

COMPILED BY THE LATE
JOHN LATIMER

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W. C. HEMMONS, ST. STEPHEN STREET
—
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Introductory Note.

ON July 14th, 1903, the City Council accepted a manuscript volume on the City Charters, which had been prepared by the late Mr. John Latimer, and was presented by him ; and subsequently they authorised its publication. At that time Mr. Latimer was living, and in view of the issue of the work he prepared another copy for the press, which, while substantially the same, contained some additional matter that shed further light upon the local history of Bristol. It is from the second copy that the present volume has been produced, and the notes that have been added in a few instances are for the purpose of bringing the particulars up to the present date. As the writer explains in his prefatory remarks, the manuscript was the result of the study of a former work on the Charters by the late Rev. Samuel Seyer, of the important manuscript volumes in the possession of the Corporation, the documents in the Record Office, and the Rolls of Parliament. The object was to provide as complete a Calendar of the Charters and kindred documents as can now be put together, and in doing this it will be observed that a number

of writings have been included that have not hitherto found their proper place in any similar series.

As, owing to the demise of Mr. Latimer, it is not now possible for him to revise the proof sheets of his Calendar, it has been thought best to issue the work practically as he left it. It will, therefore, be recognised that all the statements and opinions are those of the writer, and that, if necessary, allowance must be made for the circumstances under which the Calendar appears. Notwithstanding this, it will be found that, in this literary effort, the writer has again rendered great service in the elucidation of our local history, and that in the new features that the work presents, he has increased the indebtedness of all those who value the painstaking efforts that have now come to an end.

The purpose of this note is to explain the circumstances referred to; and the Abstract at the end will serve as an Index.

W. R. B.

Calendar of Bristol Charters, &c.

IT is much to be regretted that the earliest recorded Charters granted to Bristol are now known to us only through copies preserved in ancient documents. Reasons will hereafter be shown for believing that others, still earlier in date, once existed, of which no trace can now be discovered, and owing to the disappearance of those manuscripts it is impossible to state with precision how the town, which was originally a mere member of a royal manor, developed into an independent and self-governing municipality. An interesting entry in Domesday Book relating to the manor of Clifton apprises us that its owner in 1086—an Englishman named Sewin—had been Prepositor, or Provost, of Bristol in the reign of Edward the Confessor, which proves that some initial steps towards a communal existence had been taken over twenty years earlier. When the Domesday inquiry was in progress, "the burgesses" are recorded to have answered the Commissioners through a sworn jury, chosen from amongst themselves. They were still nominally tenants of the King's manor of Barton, but

there are indications that the little town was defended by fortified walls; and the scanty population of the rural eastern districts, largely covered with forests, could have rendered slender help towards acquitting the royal dues then payable, amounting to £101 6s. 8d. Adopting Mr. Seyer's estimate that the suburban part of the manor may have contributed £16 of this sum, the fast-rising importance of Bristol is attested by the record that only three provincial cities rendered a larger yearly tribute to the Crown—York and Lincoln paying £100 each, and Norwich about £96. Moreover, about 1095, when the newly-erected Castle of Bristol, with the town and Barton, were held of William Rufus by Robert Fitzhamon, that great feudal lord conferred on his Abbey of Tewkesbury a tenth of the profits derived from Bristol, then amounting to £145—an extraordinary advance in the short space of about nine years.

The fact that the profits of successive lords afterwards remained stationary for more than a century seems to render it certain that the burgesses, at an early date, must have secured protection against the exactions of an overlord by contracting to pay yearly a stipulated sum; but whether this concession was made by Fitzhamon or by his successor, Robert Fitzroy, is a matter of conjecture.

During the calamitous wars of Stephen's reign, Bristol played a conspicuous part in the national history. The best contemporary chronicler, the author of Gesta Stepheni, asserts that the town was almost the richest in the country through the great extent of its commerce ; and a casual remark in reference to one of Stephen's attacks upon it shows that a bridge already united it to the rising borough of Redcliff.

First Known Charter, 1155.

With the accession of Henry the Second, who had spent four years of his boyhood in Bristol, authoritative documents begin to appear. The original manuscript of the earliest of these, granted by the King in the first year of his reign, has, unfortunately, perished ; but its wording is preserved literatim in the still extant charters of confirmation granted by Edward the First and his two successors. A copy of one of these doubtless furnished the text which is produced in Mr. Seyer's "Bristol Charters" ; but that gentleman, partly through a literal error in the manuscript before him, and partly through his own inadvertence, post-dated the charter by nine years, ascribing it to 1164 instead of 1155. It would appear that Mr. Seyer's copy gave the name of the first witness as "Thoma Kant," which was not an unusual abbreviation of Thomas

Becket, after that turbulent cleric became Archbishop of Canterbury in 1162. But the words in the original must have been "Thoma Canc.," or Chancellor, for they are so written in the confirmatory charters of 1300 and 1322. Moreover, the fourth witness, Roger Earl of Hereford, died in or about December, 1155; the seventh, Warin Fitzgerald, Chamberlain, appears to have died or left the King's service in 1158; and the eighth, Walter of Hereford, probably died soon after he ceased to be Sheriff of Gloucestershire, in 1157, for his name occurs in no later document. Finally, it is impossible that "William, the King's brother" could have witnessed a deed at Salisbury at the end of January, 1164, for he died in that month at Rouen. On the other hand, William, and six of the other eight witnesses to the Bristol Charter, attested several charters granted by the King at Salisbury and Winchester, when Henry visited those cities at Michaelmas, 1155; and there is nothing to show that the two others, who were of inferior rank, were not there also. (The question as to the date of the instrument has been conclusively dealt with by the Rev. C. S. Taylor, in "Proceedings of the Clifton Antiquarian Club," vol. iii, p. 151.)

Though brief, the charter is of great importance, inasmuch as it distinctly indicates that, with the

possible exception of the relief from tolls and other local customs throughout England and Normandy, the "liberties, acquittances, and free customs" to be enjoyed by the townsmen were not new concessions, but were already in their possession—clearly from previous grants of the Crown or the overlords. Mr. Seyer's translation (corrected) is as follows:—

> **Henry,** King of England and Duke of Normandy and Aquitaine, and Earl of Anjou, to archbishops, bishops, abbots, priors, earls, barons, justices, sheriffs, and all the men of his land, [sends] health. **Know ye** that I have granted to my burgesses of Bristol that they shall be quit both of toll and passage [ferry dues] and all custom throughout my whole land of England, Normandy, and Wales, wherever they shall come, they and their goods. Wherefore I will and strictly command that they shall have all their liberties, acquittances, and free customs fully and honorably as my free and faithful men, and that they shall be quit of toll and passage and of every other custom, and I forbid anyone to disturb them on this account contrary to this my charter, on forfeiture of ten pounds.
>
> **Witnesses.** Thomas Canc[ellarius], William the King's brother, Reginald Earl of Cornwall,

Roger Earl of Hereford, Patrick Earl of Salisbury, Richard de Humet, Constable, Warin Fitzgerald, Chamberlain, Walter de Hereford, John the Marshal. At Salisbury.

(The word translated "customs" is in the original "consuetudines," meaning customary dues. Custom in its modern sense of taxation was in Latin written "custuma.")

Charters to Redcliff, *c.* 1164.

Another charter, granted by Henry the Second a few years later, is known to us only through having been copied into the Little Red Book, about 1344. It is a grant to the King's men dwelling in the Marsh—that is, to the inhabitants of Redcliff—of all the privileges enjoyed by Bristolians, and thus affords additional evidence that the latter already possessed well-defined rights. This document also attests the existence of a bridge over the Avon many years before the erection of old Bristol Bridge. As the text of the charter does not appear in the recently printed edition of the Little Red Book, an English translation is appended:—

Henry King of England, Duke of Normandy and Aquitaine, and Earl of Anjou, to all barons, justices, sheriffs, and other his subjects, English

or Welsh, [wishes] health. I grant that my men who dwell in my fee in the marsh, near the bridge of Bristow, have their certain customs, liberties, and quittances through all England and Wales, as my burgesses, and namely those of Bristow, and through my land of the County of Gloucester, as my charter testifies; and I forbid that any one do them any injury or reproach on that account.

It is somewhat singular that the King should have spoken of Redcliff as "my fee," when, as a matter of fact, it was a member of the manor of Bedminster, which was the undoubted fee of Robert Fitzharding. The inhabitants, feeling that their franchises were unstable unless confirmed by their overlord, appear to have appealed to the latter for his approval, and the result is shown in another charter, which also found a place in the Little Red Book. Translated, it reads as follows:—

Robert the son of Harding, to all his friends and to all men, present and future, health.

Know ye that I have granted and confirmed that my men who dwell in my fee in the marsh, near the bridge of Bristol have their customs and liberties which the men of Bristol have, as our lord the King has granted unto them; and I will that they remain to them whole and full during

my time and that of my heirs. Witness, Richard, Abbot of St. Augustine, William the Prior, and others.

Robert Fitzharding died in 1170, and the burgesses of Redcliff appear to have forthwith applied to his son and heir, Maurice, for a confirmation of their liberties. The following charter is also in the Little Red Book :—

Maurice son of Robert, to all his men and friends, health. Know ye that I have granted, and by this my charter confirmed, to my men of Redcliff, all the customs, liberties, and quittances that they had in the time of my father, and that my father by his charter confirmed to them. These being Witnesses : Elias, chaplain ; Master Maurice, Adam, steward, and others.

The above instruments were not inserted in Mr. Seyer's "Bristol Charters."

GRANT OF DUBLIN TO THE MEN OF BRISTOL, 1172.

The next document is of a remarkable character. In the winter of 1171-2, Henry the Second, whilst in Dublin receiving the homage of his Irish vassals, granted by charter to "his men of Bristol" the city of Dublin "for them to inhabit." It is somewhat strange that this charter was not sent to Bristol to encourage the wished-for migration, but was confided

to the authorities of Dublin, in whose possession it still remains. A finely-executed facsimile of the document was recently produced by order of the Corporation of Dublin, and a copy may be seen at the City Library. A transcript and translation will be found in Mr. Seyer's "Charters," and it is sufficient to say that the Bristolians were to hold their gift "wholly, fully, and honourably, with all the liberties and free customs" that they had in their native town.

To what extent the King's offer was embraced it is impossible to say, but the dedication of a Dublin church to St. Werburgh indicates that it was not inconsiderable. A list of citizens of Dublin of about thirty years later date contains the names of fourteen men specially designated "de Bristol," and another is called John son of Jordan Fitzharding. In Mr. Braikenridge's collection of Bristol deeds is one dated in 1261, by which John Tayleburg, citizen of Dublin, "son of John Aylwyne, citizen of Bristol," conveys to Peter le Martre, of Bristol, certain land and buildings in what is now known as Old Market Street.*

The extraordinary donation was confirmed by the King's son, Prince John, in 1185, when he was styled Lord of Ireland, and the same Prince's charters to Dublin in 1192 and 1200 refer to the Bristol charter which next comes under review.

* The late Mr. Braikenridge bequeathed these deeds to the City of Bristol. They are now in the Art Gallery.

No. 1.* CHARTER OF JOHN, EARL OF MORTAIN, *c.* 1188.

* This, like all the other charters in the Council House, is distinguished by an *, with a number corresponding with the number on the charter case.

William, Earl of Gloucester, son and heir of Robert Fitzroy, for a time revolted against Henry the Second, but subsequently submitted to his sovereign. Having no male heir, one of the conditions imposed upon him seems to have been that he should affiance one of his daughters, Hawisia, to Prince John, then a child, the King undertaking to confer the Honour of Gloucester on the boy after the death of the Earl. Though the marriage did not take place until August, 1189, John came into the inheritance, which included the overlordship of Bristol, in or about 1186; and some two years later, when he was styled Earl of Mortain, he granted a charter which, among other features, went far towards annexing the town of Redcliff to Bristol, and probably extended the "liberties" of the original borough over the suburban parishes of St. James, St. Michael, and St. Augustine. This cherished instrument, still in excellent preservation, has been produced in facsimile in the printed edition of the Little Red Book, and has been so copiously dealt with by local historians that it seems needless to offer more than a brief summary of its leading provisions.

The first clause sets out in an indefinite way the boundaries of the town, which are stated to be Sandbrook (Woodwell Lane), Bewel (Cotham), Brightnee Bridge (near Bedminster), and Knowle. It is then ordained that no burgess shall be sued out of Bristol except on pleas relating to "foreign tenures which do not belong to the hundred of the town," denoting a distinct separation from Barton Regis; that they shall be free from the royal fine for murder, of trials by duel, and of all tolls, pontages, and local customs; that they shall have a hundred court; that their lands and tenements shall be held in free burgage, and their debts recovered according to the custom of the town; that strangers shall not buy goods within the borough from other strangers, or stay there more than forty days; that burgesses shall be free to marry their children as they please, to grind their own corn, and to have all reasonable guilds as they had them in the time of Robert and William, Earls of Gloucester; finally that they shall possess all void ground within the boundaries, to build on at their pleasure.

It has been assumed by some writers that, inasmuch as the charter specifically grants the above privileges, and others of minor importance, it necessarily follows that such privileges were novelties. But an examination of other documents of the same character—such,

for example, as the charters of London—proves the assumption to be untenable. In June, 1199, King John granted a charter to the capital, by which it was ordained, *inter alia*, that the citizens should not be impleaded anywhere but in their own courts; should be relieved from the fine for murder and from trial by duel; and be freed from all tolls and passage dues throughout the realm. If the earlier London charters had perished, some might have argued that these liberties had their origin in this document. But precisely the same grants, in the same words, were made by a charter of Richard the First, in April, 1194; they had also been conferred, almost literatim, in an undated charter of Henry the Second, probably issued soon after his accession in 1154; and had been originally conceded by Henry the First, who ascended the throne in 1100! Thus, while John, and his brother, and his father were each professing to bestow privileges as a mark of their special grace, the identical privileges had been really accorded before any one of them was born. To give another instance, King John, in 1215, granted to the Londoners the right of electing a mayor. Yet Henry the Third, twelve years later, totally ignoring his father's patent, conceded the privilege over again. The Bristol instrument before us contains further proof of a similar practice. The

burgesses are freed from all local tolls throughout the kingdom, as if this were something specially new, whereas it has been shown that the quittance formed the basis of Henry the Second's charter of 1155. The burgesses, again, are permitted by John to have "all their reasonable guilds," but the wording of the clause affords evidence that the privilege had been enjoyed in the days of Robert and William, Earls of Gloucester. Moreover, the lost charters of those overlords may have been merely re-grants, similar to those of London. It is thus highly probable that most of the clauses in that of John were simply recapitulations of franchises already possessed.

AN APOCRYPHAL CHARTER, 1204–5.

In an abbreviated reproduction of the Patent Roll of the sixth year of King John, published by the old Record Commission just a century ago, is a summary of a charter granting to a town in Normandy the liberties of "Bristol." The word just quoted is written in the original roll "Brit.," a contraction never used for Bristol in any ancient document; and experts in medieval caligraphy now agree in believing that by "Brit." is meant Breteuil, a Norman borough enjoying special privileges. The occurrence of this contraction in Domesday Book and elsewhere (a chieftain from

Breteuil having received the earldom of Hereford from the Conqueror), and the mistaken belief in its meaning, have led to numerous errors; and the modern correction deprives Bristol of the credit of being the "mother town" of several Irish and Welsh boroughs that obtained early charters.

LOST CHARTERS FOR FAIRS.

Evidence of the loss of another charter occurs in the Tallage records of the seventh year of Richard the First, 1196, wherein Bristol is assessed at 200 marks, and 10 marks additional "for the fair." A fair could not be held except under a grant of the Crown or an overlord, and no such document relating to either of the two great Bristol fairs has come down to us. One of them seems to have been conceded by Cœur de Lion.

BRISTOL GRANTED A MAYOR, 1216.

Testimony as to another and more interesting missing charter is afforded by documents bearing the signet of King John during the last few months of his reign, and registered in his Close Rolls. Bristolians were always on the alert when new concessions were made to London, and lost no time in applying for an extension of the privileges to themselves. The King's grant of a Mayor to the capital, in 1215, doubtless

gave rise to an application from Bristol for the same boon, and it seems to have been granted in 1216, when John was several days in the town. There is also evidence that, as was always the case, the privilege had to be bought from the needy monarch. The Close Rolls for August, 1216, contain records of five mandates to the "Mayor of Bristol," and another was entered in September. Four of them order the delivery to royal officials of numerous hogsheads of wine, of which the King kept a large stock in the town, and of which Roger Cordewaner, the "Mayor," was guardian. One writ requires the payment to two officers of 100 marks out of the arrears of 500 marks of the "Aid" imposed on Bristol; and another demands that 15 marks shall be paid to one Teutonicus for the work of the Queen "out of the Fine that the burgesses have made to the King"—presumably for their new chief magistrate. The first Mayor, Roger Cordewaner, was one of John's confidential agents, described by him in the previous year as his beloved and faithful subject, and as one of the guardians of the royal Treasury at Bristol. The loss of the charter creating the office of Mayor is much to be regretted.

Immediately after the death of the King, his son Henry, then nine years of age, was crowned at Gloucester on October 28th, and was brought in the following

month to Bristol, which had always been faithful to his father. Narrating these events, Mr. Seyer, with unusual dogmatism, asserts in his history :—" It is unquestionable that at this time leave was given to the burgesses to choose a Mayor annually ; all our Calendars assert it ; they all name Adam le Page as the first Mayor." The truth is, that the Mayor's Kalendar, which is, undoubtedly, the basis on which all later chroniclers founded their annals, makes no such statements as are here alleged. On the contrary, Robert Ricart roundly asserts that " there hath been alweyes Maires in this worshipfull toune sith the Conquest and byfore " ; and begins his roll of Mayors by remarking that he commences from " the tyme and dececе of Kyng John." It may be added that Henry the Third, or rather the great barons who acted in his name, recognised the dignity of the chief magistrate from the outset. The first instrument concerning Bristol, issued during the royal sojourn, was a mandate, dated November 20th, addressed to " the Mayor and honest men " of the town, requiring them to put one Michael de London in possession of a certain house. This was followed by a writ, dated December 3rd, ordering the Mayor and honest men of Bristol to pay 60 marks to Philip D'Aubeny out of the fine they had agreed to render " to the King, my father," and to pay the

remainder of that fine—which we have already assumed to have been the purchase money of the mayoralty—to the Bishop of Winchester. It is certainly probable that Henry the Third would be solicited to confirm his father's grant, but no trace of such a document exists, the Charter Rolls of the first ten years of his reign having perished.

THE FEE FARM OF BRISTOL, 1227–1462.

Early in his reign, King John divorced his first wife (and cousin) Hawisia, through whom he had obtained the Honour of Gloucester. On the re-marriage of that lady to Geoffry de Mandeville, the King, as some acknowledgment of his ill-treatment of her, conferred the Earldom of Gloucester on her husband, but first severed Bristol, Barton Regis, and Kingswood Forest from the Honour, and retained them in his own hands. The yearly rent paid by the burgesses to the overlord, fixed at £145 about a century earlier, as already stated, had not been altered; but this sum did not include the profits derived from regal property in the town, and the total must have been considerable, for in 1226 the townsmen petitioned his successor for a demise of all the royal rights, including lands, tenements and mills, ground rents (called landgable), tolls, dues of fairs and markets, forfeitures, fees of courts, escheats of estates, and various other

profits. A lease of the whole, for a term of eight years, was accordingly granted by King Henry on January 10th, 1227, at a yearly rent of £245—only £55 less than the fee-farm then paid by the citizens of London. The bargain seems to have been satisfactory to the burgesses, as in June, 1232, a further lease for two years, and in 1242 a third for twenty years, were obtained by them, the rent in the latter case being raised to £250. Only ten years later a new bargain was made, by which the fee-farm was raised to 400 marks (about £267). In the following century, Edward the Second granted a similar lease to Lord de Badelsmere, then Constable of the Castle, of whom much will have to be said hereafter, who was required to pay £248 per annum, including various customary outgoings amounting to £38. In October, 1320, the town, Castle, and Barton were demised by the same King to his favourite Hugh Despenser on the same terms. Despenser was hanged in 1326; and in 1330, Edward the Third, "for the tranquillity and quietude of the Mayor, bailiffs, burgesses, and other good men of Bristol," and with the assent of Parliament, granted to the Mayor and Commonalty the custody of the town, and the appurtenances of the town, Barton, "et ad Castrum spectantibus," to hold for five years; rendering yearly to the Exchequer £240, and paying

annually £14 10s. to Tewkesbury Abbey, and £3 to St. James's Priory for the mill; 7½d. per day to the Forester of Kingswood, 2d. per day to the gatekeeper of the Castle, and 3½d. per day to the Castle watchmen; providing also a yearly robe, value 26s. 8d., to the Water Bailiff—raising the total rent to over £278. Some change was subsequently made in the arrangement, though as all the leases granted to the town have (with one exception of much later date) disappeared from the Council House, it is impossible to arrive at details. At all events, in 1336, a new patent was issued by the King, granting the burgesses a lease of the profits of the town at a fee-farm rent of £142 10s., the lessees being also required to pay the £17 10s. due yearly to the two monasteries. The rent was then payable to the King's Consort, Philippa, who had been granted Bristol as part of her jointure, and she subsequently renewed the lease at intervals. On her death the estate reverted to the Crown, and the King, in October, 1371, demised it for one year to Walter Derby, at a rent of £100, subject to the yearly payment of £20 to the Constable of the Castle, £17 10s. to the monasteries, and the before-mentioned daily doles to the Forester and Castle officials, together with the Water Bailiff's robe, making in all about £158. (This document is printed in Mr. Seyer's "Memoirs," vol. ii,

p. 149.) Five similar leases were granted in the last five years of the King's reign, and as all but one of the lessees afterwards held the office of Mayor, it may be safely surmised that all were acting for the Corporation. The reduction of £140 in the Crown rent as compared with the lease of 1330 must have been largely due to the havoc wrought by the Black Death in 1349 (when a chronicler affirms that grass grew high in the main streets and the living hardly sufficed to bury the dead) and by the subsequent fall in rents and prostration of trade. Richard the Second granted the profits of Bristol to his first consort, Anne, as part of her dowry.

After her death, the King, by a charter dated February 18th, 1395, granted to the Mayor and Commonalty the entire royal estate within the town, including the "tine" of the Castle (see pp. 21 and 25), pleas of courts, fairs, markets, etc.—the Castle and its precincts alone excepted—for a term of twelve years, the rent being again fixed at £100, which, with the customary outgoings to the Constable of the Castle, etc., raised the aggregate charge to £158, as before. An additional concession was that the Mayor and Commonalty might "dig the land in any fit place on our soil as often as it might be necessary for repairing and amending the pools"—that is, the weirs—of the Castle mills.

In 1403 Henry the Fourth followed the example of his predecessors by conferring the profits on his Queen Joanna. The grant comprised the Castle, the Shambles, all legal fines, redemptions, escheats, forfeitures and reversions, the patronage of religious houses, wrecks, royal fish, deodands,* treasure trove, and finally £100 out of the fee-farm of the town—the last item being derived under the lease just described, which had four years to run. At its expiration, when the fee-farm came in hand, the Queen, in November, 1408, granted the Mayor and Commonalty a new lease for the remainder of her life, not merely of the fee-farm, but of the fines, forfeitures, fairs, markets, "tine," etc., described above—the advowson of St. Augustine's Abbey and royal escheats being alone reserved. As the town was recovering from its prostration, the new fee-farm was fixed at £182 7s. 10d., but as the Queen relieved the burgesses of the yearly payments to the Abbey, Priory, Castle officials, etc., amounting to over £57, the actual increased rent as compared with 1395 was only about £22. The Queen's lease—a document of portentous length—was confirmed by her husband's letters patent on February 8th, 1409, and the Latin text of both instruments, including a copy of a bond of the Corporation for the due observance of the covenants, fill nearly nineteen pages in the

* Deodands abolished Sep. 1, 1846.

printed edition of the Little Red Book (vol. i., pp. 155-173). The estate reverted to the Crown on the Queen's death in 1437. In the following year Henry the Sixth granted the Corporation a fresh lease for twenty years, at the rent of £142 10s., and in 1446 a lease for sixty years was executed, the term to commence at the termination of the first. Finally, in 1462, Edward the Fourth granted the civic body the estate in fee, reserving the former rent, thus securing the town against future possible exactions. The absolute purchase of the fee-farm by the Corporation will be recorded in a future page.

CHARTER OF CONFIRMATION, 1227.

Another charter, granted to Bristol by Henry the Third, was sealed in May, 1227. It conceded no additional privileges, but was simply a charter reciting and confirming a previous one. As much will have to be said hereafter of confirmatory instruments, it may be well to show the manner in which they were drawn up by giving the text of this, the earliest and briefest of the series. The original parchment was in the Council House about 250 years ago (Add! MSS., British Museum, 15664), but has since perished. The following translation was made by Mr. Seyer from a subsequent confirmatory charter :—

Henry, by the Grace of God, King of England, Lord of Ireland, Duke of Normandy and Aquitaine, and Earl of Anjou, to his archbishops, bishops, abbots, priors, earls, barons, justices, officers of the forests, sheriffs, provosts, officers, and all his bailiffs and faithful men [sendeth] health. **Know ye** that we have inspected the charter of Henry King of England, our grandfather, in these words :—Henry King of England [here follows a literal transcription of the charter of 1155]. **We therefore,** ratifying and approving of this grant and these acquittances granted to them, do for ourselves and our heirs confirm them. **These** being witnesses : the lords Joceline, bishop of Bath, and Richard, bishop of Salisbury, Hubert de Burgh, earl of Kent, our Justiciary [and several others]. **Given** by the hands of the venerable father, Ralph, bishop of Chichester, our Chancellor, at Westminster, the first day of May, in the eleventh year of our reign.

CHARTER OF DISAFFORESTATION, 1228.

The country to the east and north of Bristol was at this period almost entirely covered with woods, and was subject to the oppressive forest laws. A charter executed by Henry the Third on May 6th, 1228, must

therefore have afforded a great relief to that part of St. Philip's parish lying outside Lafford's Gate, to which extended the wood called the wood of Furcis (the gallows). The King granted that all woods, towns, and lands lying between Furcis Wood, by Bristol, and Hunteneford (Tortworth), and between the Severn and the summit of the mountain of Sodbury, should be disafforested, saving the King's Park of Alveston. All men who had woods within those boundaries were to be free to sell or deal with them at their will, and all men dwelling within such meets were to be quit of all suit of forest pleas.

ROYAL TAX ON BEER, 1230.

On February 6th, 1230, the King relieved the men of Bristol from one of the taxes imposed upon them during the lawless reign of his father. Beginning with the customary salutation, the charter proceeds :—

> "Know ye, that we have granted, and by this our charter confirmed, for us and our heirs, to the honest men of Bristol, that they and their heirs for ever shall be quit of the custom of fourpence, which by Robert de Berkeley and Gerard de Atheya [Constable of the Castle, 1208] was taken of every *bracinis cervisie* (brewing of beer) in the town of Bristol, over and above the twopence

which the Constables of Bristol were accustomed to take of the said brewings on which no prise tine of beer had been taken. Likewise that nothing shall be taken of each brewing of the said town of Bristol except twopence as was of old accustomed to be taken by our Constables or bailiffs. Saving to the Constables of the Castle a reasonable prise tine of beer, as the Constables have of old been accustomed to take for the sustentation of the Castle, rendering for each tine twopence" (Charter Rolls).

The "tine" due to the Castle, which has puzzled local historians, is thus explained. Like all other rights of the Crown, it was ultimately bought up by the Corporation. The above charter was then probably allowed to perish.

GRANT FOR FORTIFYING THE TOWN, 1232.

The next Bristol charter granted by the young King is also missing from the Council House, but has been found on the Patent Rolls, and is dated June 15th anno 16th (1232). The burgesses were then engaged in extending the Walls for the defence of the town, at what must have been a heavy expense, and the royal grant was to assist them in the undertaking, though as a matter of fact the funds derived from the regal

license really came out of their own pockets in an indirect fashion. As it was the first of about a score of instruments of an identical character, each of them granted for a short term of years, its text may be worth transcription. (The schedule of dues is somewhat condensed.)

Henry, by the grace of God King of England [etc.] to his well beloved and faithful men of Bristol, health. **Know ye** that we have granted to you, in aid of inclosing the town of Bristol, and for the security and preservation of the same town, together with the parts adjacent [Redcliff and Temple Fee], that you may take in the town of Bristol, from the day of St. John the Baptist, in the sixteenth year of our reign (Midsummer, 1232) unto the end of two whole years—

For every vessel coming to Bristol laden with merchandise other than wine, 6d.

And for every boat coming there laden with merchandise, 2d.

For every cask of wine, for every hundred of sheep skins, and for ten sheep, goats, or pigs coming to be sold, 1d.

For every last of leather, 3d.

For every cask of honey, 2d.

For every weigh of iron, for every fother of lead, for every hundred of salmon, congers, or mullet, for five sheep, etc., and for every quarter of woad, ½d.

For every cwt. of iron, for every weigh of tallow, butter or cheese, for every hundred skins of lambs, goats and hares, for every 1,000 herrings, and for every 100 hake, ¼d.

For every cart with goods from Gloucestershire, ½d.

For every other cart with goods, 1d.

For every horse load of goods (firewood excepted), ¼d.

Nevertheless, by reason of this our grant of these premises, nothing shall be taken after the completion of the aforesaid two years; but immediately on the completion of that term the same Custom shall cease and be entirely abolished; and therefore we command you that, in aid of inclosing the town aforesaid, you shall take the aforesaid Customs unto the end of the said term, as is aforesaid. In witness whereof we have caused these our Letters to be made Patent. Witness myself at Woodstock, the 15th day of June, in the 16th year of our reign.

MANDATE TO THE MEN OF REDCLIFF, 1240.

The extended fortification of the town was but a small part of the work that the burgesses had in contemplation. The commerce of the port had so largely developed that increased accommodation for shipping became indispensable, and in 1240 a contract was entered into with the Abbot and Canons of St. Augustine's for the purchase of a slice of what is now called Canon's Marsh, with a view to widening and deepening the lower course of the Froom, and constructing an additional quay upon the left bank of the river. (The agreement is enrolled in the Great Red Book, and is copied verbatim in Barrett's and Seyer's histories.) The burgesses were also about to substitute a bridge of stone for the wooden structure that united the town with its suburbs in Somerset. The project for extending the quays being deemed of equal advantage to both districts, the King was prayed to exercise his prerogative for the common good, and responded by a *mandamus* addressed to the men of Redcliff. The writ was copied into the Little Red Book. The following is an abbreviated translation :—

> Henry King of England, etc., salutes his honest men in Redcliff. His beloved men of Bristol having begun a Trench to receive shipping, which will be to the common profit of the town and the

suburb, but which they cannot perfect without great charge, the Redcliff men are commanded, being partakers of the liberties of Bristol, and joined in scot and lot [an historical fact not otherwise recorded] to lend an equal share of assistance in a work so useful and profitable to them, so that there shall be no delay through their defect. Dated at Windsor, April 29, anno 24, [1240].

ANOTHER REDCLIFF CHARTER, 1247.

To strengthen the bond between Bristol and Redcliff, the King, probably at the suit of the former, granted letters patent on July 28th, 1247, relieving the burgesses of Redcliff from accounting for royal taxation to the justices itinerant in Somerset, and permitting them to answer to the judges who sat in Bristol. The charter—which is witnessed by the King's brother, the Earl of Cornwall, and by Richard de Clare, Earl of Gloucester—is not in the Council House, but the text appears in Mr. Seyer's "Charters."

Notwithstanding the desire of King John and his son to incorporate Redcliff with its sister borough, the Berkeleys, as feudal lords of the former, strenuously maintained their rights for several generations. Their prison, gallows, pillory, and tumbrel, and the violent

riots that arose out of the exercise of these privileges, continued until the reign of Edward the Third.

CONFIRMATION OF JOHN'S CHARTER, 1252.

No reason is assigned for the grant by Henry the Third, in August, 1252, of a charter reciting and confirming the famous charter executed by his father whilst Earl of Mortain; but it seems probable, from the only addition made by the King, that dissensions had arisen between the burgesses and the royal officers in Kingswood Forest. The parchment has not been preserved in the Council House, but the text appears in later confirmation charters. (See Seyer's "Charters," p. 16.) After reciting and ratifying his father's instrument, the King ordains that the burgesses shall not be molested by the justices or bailiffs of the Forest for venison that may be found in the town.

It may be interesting to state that the royal Forest of Fillwood, annexed to Kingswood, though on the opposite bank of the Avon, then extended over Knowle, and offered a tempting resort to poachers.

GRANT OF A FAIR, 1255.

THE PIE POWDER COURT. (*Pie Poudre.*)

On the marriage, in 1254, of Prince Edward, the heir apparent, to Eleanor of Castile, an enormous appanage was settled upon him, the town and castle

of Bristol being included in the grant. On February 19th, 1255, the King issued another charter of local interest. As it has escaped the notice of our historians, the following (translated) copy has been extracted from the Charter Rolls :—

> The King to Archbishops, etc. Know ye that we have granted, and by this charter confirmed, to our beloved son, Edward, that he and his heirs for ever shall hold one fair every year at Bristol for fifteen days, namely, on the vigil and day of St. Lawrence and for thirteen days after. Wherefore we will and firmly command for us and our heirs that the aforesaid Edward and his heirs for ever shall hold the aforesaid fair every year at Bristol for the space of fifteen days, namely, etc., with all liberties and free customs to whatsoever fair appertaining. Witnesses, Richard de Clare, Earl of Gloucester and Hertford [and several others]. Given by our hand at Westminster, the 19th February [anno 39].

This fair was held in the Old Market, which by a charter of 1232 (1282 ?) to Brakenstoke Priory is called "the fair of Bristol." The date fixed for it in August seems to have been subsequently altered to Michaelmas, for the Pie Powder Court, for fifteen days, which was one of its privileges, was, says Robert Ricart in 1479,

opened by one of the Bailiffs of the town on the Morrow of Michaelmas yearly—a custom still continued. The Court can never have had any connection with either of the great Bristol fairs, which lasted only eight days each. The fair fell into the hands of the Corporation when the other rights of the Crown were bought up.

GRANT OF A CORONER AND OTHER LIBERTIES, 1256.

Another charter granted by King Henry, dated July 24th, 1256, will be found to strikingly corroborate the remarks already made on the custom of our early Kings to make apparent concessions of additional privileges, although those privileges had been long possessed by the burgesses. The original instrument has perished, but it is textually reproduced in later confirmatory grants. It is also given in Mr. Seyer's "Charters."

The King ordains :—

That the burgesses may elect a Coroner, who shall make attachments of pleas of the Crown, answer for such attachments before the justices itinerant, and perform the other duties of his office.

That the burgesses shall not forfeit their goods for the trespasses of their servants.

That the goods of a deceased burgess, whether he has made a will or died intestate, shall descend to his heirs and not be forfeited to the Crown.

That the burgesses shall have all the liberties and customs of the citizens of London. And that non-user of any of them shall be no hindrance to their future enjoyment.

Now in the Pleas of the Crown taken before the justices itinerant at Bristol in 1221 (recently edited by Mr. E. J. Watson), it is recorded that there were two Coroners in the town, and two " ultra pontem "—that is in Redcliff—proving that the office had been created by some charter now missing; for no Coroner could be appointed without royal sanction. (The names of the officers are given, and they appear to have been present.) Again, the right to confiscate the goods of intestates throughout the kingdom was renounced by Henry the First in 1100; and Matthew Paris states that intestate estates were distributed by ecclesiastical authorities in 1190.

It may also be noticed that at the Somerset sitting of the Justices in Eyre at Ilchester in 27th Henry the Third (1242–3), the Bailiffs of Bristol produced a charter of Henry the Second (at least fifty years earlier) showing that the writ of mort d'ancestor did not run in Bristol. No existing charter contains such a clause.

BRISTOL AND THE CIVIL WAR.
ROYAL PARDON, 1265.

The revolt of the great barons against the despotic rule of Henry the Third led to several exciting local events. When civil war broke out in 1263, the possession of Bristol being of the highest strategic importance, Prince Edward, the overlord of the town, arrived with a considerable following, and victualled the fortress with a view to making it the base of his operations, levying for that purpose heavy contributions on the townsmen. The latter, however, like the Londoners and the inhabitants of many rising towns, sympathised with the party of Simon de Montfort, and the excesses of the soldiery led to a formidable rising of the burgesses and the hasty flight of the Prince. After the battle of Lewes, in 1264, when the King and his son fell into the hands of the victors, a Parliament was convoked at the instance of De Montfort, to which, for the first time, Bristol, with other large towns, was summoned to send two men as representatives. The names of the local members are, unfortunately, not recorded. Soon afterwards Prince Edward escaped from Hereford and again took the field, whereupon the King (or rather the baronial party in his name) sent a mandate to Bristol, dated June 9th, announcing that the town and its castle had been

committed to De Montfort, and commanding that they should be faithfully defended against the Prince. Some adherents of the latter, however, were apparently in possession of the castle, and an attempt of De Montfort to advance against it from Newport ended disastrously through the defection of the Earl of Gloucester from the popular cause. The defeat and death of its great leader in the following August put an end to the civil war. The King forthwith compelled the Bristolians to sue for pardon, which he ultimately granted on their undertaking to pay a fine of £1,000. It may be doubted whether that enormous sum was ever paid in full.

MANDATE FOR REPAIRING THE CASTLE, 1267.

In December, 1266, King Henry granted to the burgesses one of the numerous licenses to collect small tolls for strengthening the town Walls, of which mention was made in page 25. On this occasion the permission was extended to a term of eight years. The future Edward the First, however, bore a deep grudge against the Bristolians for the hostility they had displayed during his sojourn in the castle, and, alleging that the fortress was in great need of reparation, he prevailed upon his father to revoke his concession. The new mandate is not in the Council

House. The following (translated) abridgment has been taken from the Patent Rolls.

> Henry King of England, etc., to all, etc., health. Whereas we lately granted to the good men of Bristol certain customs for eight years in aid of inclosing the town. And the Castle of our Son at Bristol requiring great and immediate repair, we will to be repaired with all speed. Therefore we grant that our Son shall receive, by the hands of his constables, all moneys arising from the customs aforesaid for the repair of the Castle during the time aforesaid. Dated at Stafford, May 10th, in the 51st year of our reign (1267).

INITIATION OF LOCAL RATES, 1282.

The ancient state records afford no information as to the manner in which royal taxation levied on towns was charged upon the inhabitants. The "tallages" and "aids" demanded by King John from Bristol and its suburb varied very remarkably in amount. For example, the tallage imposed upon the town in the first year of his reign amounted to 500 marks; the "men of Berkeley outside Bristol"—that is, Redcliff—being called on for 100 marks; and the "men of the Temple" for 50 marks. The total charge was thus £433; and for the tallage of John's eighth year the

town is recorded to have rendered £469, presumably for the three districts.

In the third year of John's reign an "aid" was assessed on Bristol and Redcliff, the demand on the former being £80, and on the latter £20. But towards the "aid" claimed nine years later, Bristol was assessed at 1,000 marks, Redcliff at 1,000 marks additional, and Temple Fee at 500 marks—a monstrously unjust exaction upon the two latter localities.

In January, 1273, Edward the First directed his Escheator south of Trent to assess the tallage of Bristol "by poll or by common as had been accustomed." The royal officers charged with the same duty in 1304 were similarly instructed to gather the tallage "separatim per capite vel in commune" as they thought most expedient. This seems to show that the taxation had been sometimes levied on each inhabitant, and sometimes on the town—the local authorities in the latter case being left to determine the amount fairly chargeable upon each burgess. Such a system would necessarily tend to initiate a crude form of local taxation, and the sagacious King took early measures to encourage its orderly development. On May 19th, 1282, royal letters patent were issued empowering the Mayor and good men of Bristol, for two years, to make "collections" amongst them-

selves, according to their means, by the oath of good and lawful men, whenever the affairs of the community required such action. But it was stipulated that these collections, and the tallages levied upon the whole town, should be placed in proper custody, and that the Mayor should have power to compel persons to be sworn for that purpose when necessary; it appearing, said the mandate, that the poor of Bristol had been frequently heavily taxed upon sudden emergencies affecting the affairs of the town (Patent Rolls).

THE TOWN IN TROUBLE, 1284–5.

Soon afterwards, for reasons that cannot be even conjectured, Bristol fell under the severe displeasure of the great King. Edward spent the Christmas of 1284 in the town, when, if the local annalists quoted by Mr. Seyer may be trusted, violent quarrels were raging betwixt the burgesses and the Constable of the Castle, the latter asserting that his rights had been encroached upon. The historian's authorities go on to assert that the King was so incensed at the proceedings of the townsmen that he deprived them of their chartered privileges; but this would certainly not have been done without being formally recorded in the Patent Rolls, where nothing bearing on the subject is to be found. The King's wrath, however,

is beyond question. A Parliament was held in the spring of 1285, and although its records have been lost, we have proof that the misdoings of the burgesses of Bristol were inquired into and condemned, and that a fine of £500 (equivalent to £10,000 to-day) was imposed upon them for their "contempt," or, as another document styles it, their "trespass." For the King, by letters patent dated June 30th, appointed two of his officers to assess "reasonably, and in such manner that none of the richer sort be spared from contributing," the above fine, which "the town had made with the King now in Parliament" (Patent Rolls).

SEAL OF THE STATUTE MERCHANT, 1291.

On October 23rd, 1291, Edward the First, by letters patent, appointed Simon de Burton, Mayor, and Richard de Calne, Town Clerk of Bristol, custodians of the seal and counterseal of the Statute Merchant, provided under the Statute of Acton Burnel (1283); and directed that the greater part (the obverse) of the seal should be held by the Mayor, and the counterpart by the Clerk (Patent Rolls). It is strange that this patent was not preserved by the Corporation, as the seal was long and much in use for attesting recognizances of debts. The obverse, still in the civic

Treasury, bears the King's bust between two castles, with the royal lion in base. The counterpart has disappeared, but an impression, bearing a leopard's face and the word "Bristol," is in the British Museum.

No. 2.* CHARTER OF CONFIRMATION, 1300.

On March 28th, 1300, King Edward executed a charter confirming that of his grandfather while Earl of Mortain, and those of his father dated in 1227, 1252, and 1256. All those instruments are produced literatim in conformity with the Act, 13 Edward I., c. 6, requiring textual exemplification. The King also granted two additional privileges. The burgesses were exempted from Murage, Stallage, and Pannage throughout the royal dominions. And their Mayors, who had previously had to apply for the confirmation of their elections to the Barons of the Exchequer—a condition that must have been imposed by a charter creating the office—were thenceforth to be admitted by the Constable of Bristol Castle, who, at the expense of the burgesses, was to notify the appointment to the royal Court.

Although this is the first mention of the concession in the corporate archives, documents in the Record Office show that in September, 1298, the King, by writ of Privy Seal, permitted the next Mayor of

Bristol to be sworn in by the Constable of the Castle, and that the Constable shortly afterwards notified to the Court of Exchequer that he had accordingly admitted William Randolf as Mayor. The Constable sent a similar notification in the following year that he had admitted Simon de Burton. (The Mayor's Kalendar is at variance with both these returns.)

This charter, printed in Mr. Seyer's collection, cost the burgesses no less than £200, equivalent to £4,000 in modern money.

TEMPLE FEE ACT, 1304.

A Bristol grievance, which was not completely remedied until nearly 250 years after the date now arrived at, was brought before Parliament in 1304. The burgesses prayed that the tenants of the Knights of the Temple, in Temple Street, should bear a proportionate share of the taxation imposed upon the borough; and the King, with the assent of Parliament, acceded to the petition, which thus became an Act. (Rolls of Parliament.)

AN APOCRYPHAL CHARTER, *c.* 1313.

Mr. Seyer states in the preface to his "Bristol Charters" that several local calendars allege that Edward the Second, in the fifth, sixth, or seventh years of his reign, granted, by purchase, a charter to

the town "for having two Bailiffs." No mention of such an instrument occurs in the Patent Rolls, and the burgesses can have had no inducement to lay out money for such an object, seeing that they had elected Bailiffs for many years—two deeds in the Museum and Art Gallery proving that those officials were in existence in 1274–5. In the Pleas of the Crown, Easter, 1287, the names are given of nine burgesses who had held office as Bailiffs since the previous circuit of the justices itinerant (about eight years before). The erroneous statement was clearly founded upon the list of civic dignitaries in the Mayor's Kalendar—a by no means infallible record as regards events that had occurred two hundred years before its compilation.

THE GREAT INSURRECTION.

ROYAL MANDATES AND PARDON, 1312–16.

The numerous royal letters concerning Bristol about to be dealt with, have been extracted from the Patent and Close Rolls, the originals having perished —probably soon after their appearance, for diligent pains seem to have been taken at the Council House to obliterate every record of the most remarkable events that ever occurred in local history. The subject has been elaborately dealt with in Mr. Seyer's "Memoirs" of the city (vol. ii, chap. 14); but owing

to much confusion as to dates, arising from the deficiency of his materials, the historian's narrative is, in several points, misleading and defective.

It is necessary to premise that in the early months of 1312, a quarrel was raging between Edward the Second and the great feudal barons, which bore much resemblance to the struggle that had ended about a century earlier, in the concession of Magna Carta, the King seeking to rule despotically through favourites chosen by himself, whilst the magnates insisted on the controlling power of Parliament. From the beginning of his reign the King had heaped many favours on one Bartholomew, Lord de Badlesmere, a Kentish baron of large possessions but of indifferent repute, who had sworn devotion to him; and amongst other grants he had been invested with the Constableship of Bristol Castle and the custody of the town. On February 12th, 1312, a royal mandate was addressed to De Badlesmere, here styled "late Constable," ordering him to deliver the castle, town, and barton of Bristol to Edmond de Malo Lacu (Maulay), to whom the King had granted them. De Badlesmere having flatly refused compliance, a second mandate was sent to him on April 5th, expressing the King's great amazement at his contumacy, and reiterating the previous command. He was, said the writ, to

deliver up the Castle, notwithstanding his previous oath to surrender the fortress to no one save his sovereign, a vow from which he was now absolved. This order, as well as a third to the same effect, dated April 20th, was treated with contempt. Possibly in consequence of the murder of Gaveston by the barons in the following June, or possibly from the capricious weakness that marked Edward's career, Badlesmere was restored to favour in July. Though the patent was not enrolled, it is certain that when the Constable was dismissed, the King conferred the custody of Bristol on the Mayor and Commonalty; for on July 28th, the King issued a writ, in which, "notwithstanding any mandate addressed to the Mayor, Bailiffs, and Commonalty," he again appointed De Badlesmere Constable of the Castle and custodian of Bristol and its Barton. Only a fortnight later Edward again changed his policy. On August 12th the Constable was commanded not to meddle with the custody of the town, the King asserting that he had confided it to the keeping of the Mayor, Bailiffs, and Commonalty in consequence of having learnt that they were oppressed by the Constable and his officers. On the same day, by another patent, the borough authorities were ordered to keep the town and barton for the King. Before three weeks had elapsed,

Edward changed his mind again. On September 1st, and again on the 17th, writs were issued to the Mayor and his brethren revoking their powers, which had been transferred to De Badlesmere, and requiring them to account for the profits of the town whilst it had been in their hands. On September 5th a mandate was addressed to the Constable, directing him to exercise the office of custodian of the town according to his original commission, but forbidding him from doing any injury to the burgesses whilst the King and his Council were considering the dissensions existing between the townsmen and the Constable's lieutenants. A brief entry in the Exchequer Rolls of the year, stating that the King had granted to De Badlesmere the profits of the castle, town, and barton, reserving a rent of £210, and customary outgoings amounting to about £38, must have been made about this date.

These documents suffice to indicate that disputes between the Bristolians and the Castle officials had been raging for several months. But they afford no clue to the burning grievance that was then exasperating the burgesses. Whilst the quarrel on constitutional grounds was proceeding between the King and the barons, the people of Bristol were threatened with the loss of their free institutions by the manœuvres of a local oligarchy. Here, as in all

other English towns, the wealthier members of the Merchants' Guild strove to secure predominance in the government of the borough by the practical disfranchisement of the inhabitants at large; and at the date now reached, a clique of fourteen rich and influential men were claiming complete local supremacy. The leaders of this faction were William Randolf (Mayor in 1298, 1305, and 1309), John Snow (Mayor, 1306), and John du Celer (Mayor, 1310). Their pretensions were resisted on behalf of the burgesses by several men of good standing, and especially by John le Taverner, who had thrice represented the town in Parliament, and whose election as Mayor in 1307 and 1308 had been doubtless effected through the temporary overthrow of the fourteen by the indignant community. To strengthen their oligarchic designs, Randolf and his colleagues entered into an alliance with De Badlesmere, who, having the town in his hands, made himself obnoxious to the trading classes by the rigorous collection of a certain customs due, called Coket, the legality of which had been disputed for many years. (It is not improbable that the fourteen had become farmers of this tax; at all events, they upheld Badlesmere's claims to it, and countenanced the imprisonment of several townsmen in the Castle, presumably for refusing to pay the impost.)

The election of civic officers in September, 1312, brought matters to a crisis. John the Taverner was the popular champion, and again became Mayor, the fourteen succeeding only in electing one of themselves as Seneschal. Lord de Badlesmere's absence from the town at this time served the cause of the burgesses; for the King, by a writ of October 17th, formally approved of Taverner's election, and excused him from the duty of taking the oath of office before the Constable. But Taverner's supporters, inflamed by success, resolved to put an end to the oligarchic party by depriving them of their burghal rights on the ground of their being adherents of De Badlesmere, forcibly closed their places of business, seized their goods, dispersed their servants, and completed their work by proclaiming the Constable displaced from the government of the borough.

In consequence of these proceedings, the King, on November 2nd, issued a fresh mandate to the Mayor and Commonalty, forbidding them to meddle with the custody of the town, and commanding them to be obedient to De Badlesmere or his "attorney," which shows that the Constable was still absent. No regard having been paid to this order, which was three times repeated, and complaints of their ill-treatment having been received from the fourteen, the King, on

January 16th, 1313, again addressed the Mayor and his brethren, commanding them to restore Randolf and his colleagues to the liberties of the town, and to restore to them their property. This order was repeated on February 28th, when the Mayor and Bailiffs were summoned to appear before the King and Parliament on Midlent Sunday. The mandate being disregarded, it was re-issued on April 7th, and again on April 31 (*sic*), and the Sheriff of Gloucestershire was ordered to see to the restoration of the fourteen. In reply, the Sheriff reported that the Bristolians openly contemned him.

Incensed at this obstinacy, the King, on May 2nd, issued a mandate to the County Sheriff, ordering him to no longer make a return of writs to the Bristol authorities, the King having, for their contempts and injuries, taken the liberties of the town into his own hands; and he was further ordered to arrest Taverner and thirty-four others, and bring them before the King. A similar intimation as to the suspension of the borough liberties was also sent to the Constable and his two "attorneys." who were directed to restore the fourteen. A fortnight later, warrants were issued to the Sheriffs of Gloucestershire, Somerset, and Dorset, requiring them to raise the county forces, to compel the Mayor and Commonalty to obey the

Constable, and to imprison all who obstructed them. Another writ of the same date ordered that Randolf and eleven other members of the fourteen should be forthwith reinstated in their rights as burgesses. The reply of the Sheriffs to the mandates cannot be found. Mr. Seyer states that they raised 20,000 men—which is simply incredible—and that the force invested Bristol under the command of the Earl of Gloucester, but that, owing to the stout resistance of the townsmen, the siege was abandoned. It is certain that the Earl, who was a nephew of the King, was on the spot, for in the Close Rolls there are brief mandates to him and to De Badlesmere, dated August 18th, intimating that the besieging of Bristol with a multitude of men to the terror of the people was of pernicious example, and commanding that, to obviate scandal, the hostilities should be stopped. Indeed, all the forces that the Crown could raise were imperatively required for the luckless expedition preparing against Scotland. Some Bristolians, including Taverner, were nevertheless captured and sent to the Tower of London, and others were outlawed for refusing to attend an assize at Gloucester, whereupon their fellow burgesses refused to pay the arbitrary tallage of a fifteenth on goods imposed by the King in the previous December, and threw off all obedience to the Crown. In consequence,

on June 10th, a royal commission was issued to Lord Thomas de Berkeley and three judges, to inquire "touching conspiracies" as well of Bristolians as of "men without," meaning, doubtless, the men of Redcliff, over whom the Berkeleys had persistently claimed feudal rights that had been as persistently repudiated. The judges were further ordered, on June 12th, to assess the tallage of the town.

No action of the King could have been better devised for inflaming popular resentment than the favour shown to Lord Berkeley, whose brutal outrages against the townspeople had been previously represented to the King by the leader of the fourteen; and the result, when the Commissioners arrived, was a tragical riot in the Guildhall. According to the record in the Rolls of Parliament, Berkeley and his colleagues were insulted by a multitude of the inhabitants, who imprisoned them, and prevented them from fulfilling their commissions. It would appear from other accounts that the fourteen, hoping to recover their power through the judicial visitors, had collected a large body of armed men to intimidate the burgesses and secure the conviction of the "conspirators." The popular party, however, objected to the commissioners' jurisdiction, alleging that the fourteen had procured "foreigners" (countrymen) to be

summoned as jurymen, contrary to the rights of the town. This objection being overruled, some of those who had raised it, addressed the excited crowd outside the hall, alleging that the verdict of the "foreigners" would be determined by party prejudice, and would be ruinous to the privileges of the borough. The common bell was then rung, and a desperate struggle took place in the hall. The partisans of the fourteen seem to have prevailed, for out of the eighteen men that were killed outright, all but one were of the popular party, and many more on that side broke their limbs or were grievously injured by leaping out of the windows of the building. The commissioners were in extreme danger, but the Mayor is said to have restrained the fury of the populace, and the charge of imprisoning the royal officials seems to have been founded on their merely temporary detention for safety's sake. This assumption is confirmed by the fact that the tallagers succeeded in making the assessment, though the money—£289—was not levied until three years later.

Strange to say, no information as to the course of local events during the following summer can be discovered. The Mayor's Kalendar states that Reginald de Panys was elected chief magistrate in September, 1313. If such was the case, the royal

revocation of the borough's privileges must have been set at defiance. From the next entry on the Patent Rolls referring to the subject, dated November 8th, it is clear that John le Taverner, who had been released from the Tower, was still regarded at Court as the chief of the insurgents; for the King, in a mandate directed to him and his adherents, granted protection, under pain of forfeiture of life and limb, to Randolf and his colleagues, their friends and servants, who were not to be molested in pursuing their trades, and in enjoying the liberties of the town. Two days later a royal commission was directed to six justices, who were to hold an inquiry by a Gloucestershire jury into the recent conduct of the burgesses of Bristol. The commission proceeds to give a summary account of the matters in dispute from the outset. It states that when the King committed the custody of the town to De Badlesmere, to hold on farm, William de Axe, being then Mayor [the Mayor's Kalendar gives William Hore as chief magistrate in 1311–2, but it was then common for a man to be known by two names] John le Taverner, Thomas de la Grave (Mayor, 1302), and twenty-seven others (named) refused to obey the King's nominee. Subsequently, the King having taken the liberties of the town into his own hands, the said Taverner, with William de Clyf and Gilbert Pokerel,

exercised the offices of Mayor and Bailiffs in contempt of the King's action, and usurped to their own uses the profits of the town, forcibly hindering De Badlesmere and his attorney from collecting them. They had also made a barricade to prevent victuals entering the castle, broken the King's mills, attacked the garrison of the castle, and finally erected and crenellated a wall of stone in Wine Street and made barricades in divers places opposite to the castle, against which they discharged arrows and quarrels (bolts). They also hindered the King's commissioners from assessing the tallage and imprisoned them. Further, they entered into conspiracies against the King, assessed tallages on the burgesses, converted the greater part of the money so obtained to their own use, and in contempt of the King's mandates held an election amongst themselves of Mayor and Bailiffs, who continued to execute such offices. The issue of the inquiry is not to be found in the State Papers; but it would appear that a number of Bristolians, having refused to plead before a "foreign" jury, were out-lawed for non-appearance.

On December 16th, another royal commission was addressed to the same judges, probably in consequence of the verdict of a coroner's inquest on the victims of the riot, ordering a trial by a Gloucestershire jury

touching the persons who had killed the eighteen men, the names of whom are given. In this case the result has been preserved in an "inspeximus" of the judges' record, which was entered on the Patent Roll on March 21st, 1316—more than two years afterwards. The judges state that Randolf, Snow, Du Celar, other members of the fourteen, and several men charged with being adherents of that faction and of the Constable, were indicted for the homicides, and that a Gloucestershire jury not connected with Bristol found all the prisoners not guilty. Further commissions were issued soon afterwards, to inquire by county juries into the complaints of Randolf and five other members of the fourteen as to their ill-treatment by the people of Bristol in consequence of their adherence to De Badlesmere, their loss of property being estimated at the enormous sum of £2,000; but the issue is not recorded.

When it is remembered that Bristol continued in open revolt against the Government, one cannot but feel astonished that the State archives do not contain a single document relating to the insurrection throughout the year 1314, and the first four months of the following year. The Mayor's Kalendar, equally silent on the subject, states that in September William Randolf was elected Mayor, which is impossible to

reconcile with the fact that the popular party were still governing the town, and that the acceptance of office by the leader of the fourteen whilst the borough franchises were withdrawn would have been insulting to the King. The disastrous collapse caused by the battle of Bannockburn, perhaps, disabled the Government from interfering with the Bristolians, and as Lord de Badlesmere was appointed Custodian of Glamorganshire after the Earl of Gloucester was killed in Scotland, the Constable must have had his hands full elsewhere. The eventual reappearance of Bristol in the Patent Rolls, raises a suspicion that the cause of the burgesses had been secretly befriended throughout by the great nobles who were contending in arms for constitutional rights. On May 20th, 1314, the King, "at the instance of the Earl of Lancaster," the leader of the barons, granted letters of safe conduct for all men of Bristol, save those outlawed, to attend a conference at Warwick, with a view to settle the disputes between the townsmen and the Constable. Another safe conduct, at the same instance and for the same purpose, was granted on June 4th, to eight specially named burgesses, two of whom had taken no part in the struggle—Roger Turtle, who was nine times Mayor between 1300 and 1342, and Hugh de Langebrigg, who held the office in 1328 and 1335.

The gathering must have followed immediately, for on June 10th it was known at Court that the conference, held in the presence of the Earl of Warwick, acting for the barons, and of the Lord Chancellor for the Government, had resulted in an arrangement between the townsmen and the fourteen; and the King thereupon granted a special license to the Commonalty of Bristol (outlaws excepted) to ratify and confirm the agreement.

For reasons now inexplicable, the treaty came to nothing. The Mayor's Kalendar records that one Robert Passour (another neutral burgess) became Mayor, presumably at Michaelmas, but an extant deed dated in the following February, in the possession of Mr. F. F. Fox, is witnessed by John le Taverner as chief magistrate, whilst Gilbert Pokarel and William le Clyf are each styled Mayor in documents at the Record Office. It is not impossible that the town may have had a duplicate set of officers, elected by the rival factions. The anarchic state of affairs is further shown by the fact that a Parliamentary election took place about the close of 1314, when the Sheriff of Gloucester reported to the Government from the custodian of the town's liberties (the Constable) that he had caused Robert Wyldmersh and Thomas the Spicer to be elected, but that they had refused to give

the usual sureties to serve, and through force and malice he was unable to proceed further. The insurrection was thus maintained with undiminished vigour, though for several months details are absolutely lacking.

On March 30th, 1316, according to the Rolls of Parliament, the King, still temporising with the revolt issued a writ to the Commonalty of Bristol, requiring that six discreet men of the town should come up to Westminster at Easter, with full powers to state the case of the burgesses, and to submit to what should be ordered by the royal Council. At the time appointed, the six chosen men appeared, furnished with a letter under the Common Seal empowering them to obey the Council's directions; whereupon the complaints of the Crown were set forth by three officials at great length, and the deputies replied, denying many of the charges, and generally defending the conduct of the townsmen. The Council came to no decision on the questions at issue; and on June 20th, the King appointed his cousin, Aymer, Earl of Pembroke, and three justices, as commissioners, to proceed to Bristol and recall the Commonalty to obedience, and if in rebellion to punish them. This mandate gives a vivid and highly instructive account of the state of local affairs. It recites that the King, in the previous year,

had commanded the Sheriff of Gloucestershire to arrest John le Taverner and five of his chief supporters, who had been outlawed for the homicide of Alexander de Vilars [the only partisan of the fourteen killed in the Guildhall riot] and to keep them in prison until he could bring them up at Martinmas, 1315, to receive judgment; and that the Sheriff had reported that though he found the said men in the Guildhall, together with Robert de Wyldmersh, who styled himself Bailiff of the town (the M.P. elected in 1314), the Commonalty interposed and would not permit the arrests. The Sheriff having received a fresh command to arrest the outlaws, and also Wyldmersh, and to bring them up at Trinity term, 1316, the official reported in due course that he had revisited the Guildhall, read the King's mandate, and, when the burgesses again obstructed him, had laid hands upon several men, but that they broke the attachment and hindered him by violence from further action. On which account, continued the Sheriff, he marched a great posse of the county towards Bristol, where he found the gates shut against him, and the entire Commonalty, together with a multitude of malefactors described as Bayonne men and Welshmen, collected to resist him, they having previously drained the ditch of the Castle, destroyed the Castle mill, made a

dyke 24 feet in width and depth, fortified it with a strong tower, constructed wooden forts and various engines for attacking the Castle, and made other preparations for open rebellion.

The royal commissioners, being probably unable to enter Bristol, held their Court at Gloucester, to which a great number of the offending burgesses were summoned to answer for their trespasses against the King, the Constable, and the Fourteen. It would appear that the six town delegates who had been in London had been detained in custody, and were brought up for trial. The rest of the incriminated burgesses, standing upon the ancient right of Bristolians to be impleaded only in their own town, refused to appear; and Taverner, his son Thomas, Robert Martyn, Thomas de la Grave, Pokerel and 66 others were proclaimed outlaws for contumacy. What evidence was adduced is not stated, but the jury found the Commonalty guilty of all the charges alleged against them, inculpating the six deputies as abettors, and convicted the absentees of being the authors and ringleaders of the rebellion. Judgment on the case was reserved to the King; but, according to what seems to be a contemporary chronicle styled "Annals of Trocklaw," quoted by Mr. Seyer, the Earl of Pembroke made his way into Bristol,

called the burgesses together, and commanded them to submit to the law, undertaking that the King would be merciful if the malefactors were given up. To which, says the annalist, the Commonalty responded that they were not the authors of the trouble, and that they had merely defended the rights of which the fourteen had tried to deprive them. Let the King remit the imposts unjustly levied, and grant them life and limb, goods and lands; and they would obey him faithfully. Otherwise, they would continue to defend their liberties, even unto death.

On being acquainted with the facts, the King at length resolved to suppress the insurrection by main force. Some troops were placed under the command of Maurice de Berkeley, who was instructed to prevent communication with the town by sea; while a more considerable body, led by De Badlesmere and other nobles, invested the circuit of the walls. For a few days the townsmen resisted, but the supply of food, already deficient owing to a terrible national famine, was soon exhausted, and the engines of the besiegers worked such havoc by a bombardment of heavy stones from the Castle, that a surrender was resolved upon. On July 26th, upon the besiegers taking possession, a number of the popular leaders were arrested, but Taverner, his son, and Robert Martyn

(the Town Clerk) placed themselves under the protection of the ecclesiastical law by taking sanctuary in a church; and although the King issued a mandate on August 16th, ordering that strict watch should be kept to prevent their escape, they could not be debarred from their right to abjure the realm and depart for exile. Negotiations with the Commonalty at large occupied several weeks, and towards the close of the year twelve burgesses were deputed to travel to Court to make a final arrangement. Mr. Seyer felt certain that these delegates were, "for the most part if not all," selected from the fourteen and their adherents. But the names of the men prove that seven of the body had been active confederates of Taverner, while only two—Randolf and Robert Ottery—were drawn from the fourteen. Mr. Seyer also asserts that Randolf was elected Mayor, but the Mayor's Kalender, confirmed by various extant deeds, affirms that Roger Turtle was appointed, though that step could not have been taken until the King was appeased. Implicit submission having been made, a fine was imposed on the town of 4,000 marks—in modern currency equal to £50,000—half of which was to be paid in four quarterly instalments; the other moiety to remain on good behaviour. Thereupon, on December 16th, a royal pardon was granted to the entire Commonalty—the

Taverners and Martin excepted—of all the disobediences committed by them since February 2nd, 1313, provided that they answered for what was due to the Crown for the Custom called Coket, for £111 for the farm of the town, and for the tallage imposed in 1313. This was followed on December 18th by a restoration to the Commonalty of the liberties and franchises of Bristol, and on December 28th by a pardon to Thomas de la Grave and 68 of his companions who had been outlawed at Gloucester, as already recorded. In the following year the King granted half the fine—2,000 marks to De Badlesmere to repay him his expenses.

Having regard to the numerous royal missives issued during an insurrection extending over more than three years, it is somewhat wonderful that not a single document was preserved in the corporate archives, nor is any allusion made to the revolt, or to the enormous fine to be found in the ancient records or in the annals of private chroniclers. Practically the whole of the preceding narrative is based on the Rolls of Parliament and documents in the Record Office. From the latter source also we obtain the only inkling into what appears to have been a recrudescence of the popular discontents of the time. The long conflict between the Barons and the Crown resulted in 1322 in the temporary triumph of the

latter. The Earl of Lancaster fell into the hands of the King, and the "rebel," with many of his leading supporters, was put to a barbarous death. The only consolatory incident in those transactions was the execution in Kent of De Badlesmere, the patron and main support of the Bristol oligarchy. The fall of Lancaster was deeply mourned by the Commons in the northern counties, who sympathised with his cause; and, as was generally the case in the middle ages, the reverence for the "martyr" engendered a belief in the miraculous powers of his remains. A similar result occurred in Bristol, where Henry de Montfort and Henry de Wylyngton, after the mockery of a trial, were hanged and gibbeted. On October 2nd, 1323, the King issued a commission to John de Stonore and another, reciting that, after the above two men had been executed as a terror to evil-doers, William de Clyf, William Curteys, and other malefactors and disturbers of the peace gathered about the gibbet, and having caused great numbers to assemble, falsely proclaimed that miracles had been wrought by the suspended bodies, leading to attacks being made on orderly people, and many other enormities. The commissioners were therefore charged to hold an inquiry before a Gloucestershire jury, with a view to the detection and punishment of the criminals. It

may be suspected that the judges were either unable or afraid to hold the trial, for a writ in the same terms was addressed to three other officials in March, 1324. What then happened is left untold. The last missives of the King to the Mayor, bailiffs, and Commonalty of Bristol were sent in 1326, after the rising against him, headed by his abandoned Queen. They were, however, merely circular letters, addressed to all the port towns, requiring precautions to be taken against the King's enemies. In the autumn of that year, Edward took refuge in Bristol Castle, but fled precipitately at the approach of the Queen's overwhelming host; and on October 26th, the Castle witnessed the election of the Prince of Wales as regent of the kingdom by the King's two brothers, and many prelates and barons; and probably, also, the mock trial, hanging, and gibbeting of Hugh Despenser, Earl of Winchester. The unhappy King, after becoming a prisoner, was again in Bristol in the following year, and was removed thence to Berkeley to his doom.

Turning to local affairs, it may be noted that no member of the historic fourteen was ever elected chief magistrate after the recovery of the borough franchises, and "the Custom called Coket" is heard of no more. On the other hand, William de Axe was again Mayor in 1322; Gilbert Pockerel became M.P.

in 1318, and was thrice afterwards Bailiff; while William de Clyf was M.P. in 1322. What is still more significant, John le Taverner, his son Thomas, and Robert Martyn received the King's pardon in October, 1321, and four months later their lands and goods were ordered to be, as far as possible, restored to them. That the first named had lost none of his popularity is sufficiently indicated by the fact that he was elected Member of Parliament in 1322, together with one of his old supporters. In 1327 Taverner and some of his adherents petitioned Parliament for a reversal of the outlawry to which they were condemned at Gloucester during his Mayoralty, pointing out that their indictment in another town was a violation of chartered rights. Parliament ordered the Court of Kings Bench to consider the case and render justice; but the judgment, as usual, has disappeared.

GRANTS FOR PAVAGE AND QUAYAGE, 1317.

A slight deviation from chronological order has been made in the preceding pages for the purpose of completing the narrative of local disturbances. It is now necessary to return to 1317. The system of raising money for maintaining the Walls by means of small dues collected under royal license, must have worked to the satisfaction of the leading burgesses;

for petition was made to Edward the Second for powers to extend the privilege, whereby funds might be provided for repairing the quays and pavement (and possibly the sewerage) of the town. Responding to the appeal, the King, on February 19th, 1317, issued two letters patent to the Mayor, Bailiffs, and good men of Bristol, permitting them to collect, for three years, small tolls on corn, meat, fish, and merchandise; as well as on the ships, carts, and horses bringing the goods to market, the proceeds to be applied to the above purposes. The dues in each case, styled Quayage and Pavage, were nearly identical with those imposed for Murage in 1232. Further licenses for Murage and Quayage, limited to five years, were granted in April, 1321, when the King was in Bristol. Many similar patents for short terms were granted at later dates, and the schedule of tolls became much lengthier by adding horses, cattle, lampreys, Irish and other cloth, linens, silks, tan, planks, millstones, coals, brass, copper, steel, hemp, oil, and other articles to the list. The only sources of information on the subject are the Patent Rolls, as none of the licenses were preserved at the Council House.

BRISTOL THE QUEEN'S CHAMBER, 1318.

On August 1st, 1318, Edward the Second, in settling revenues valued at £4,500 a year as dowry on his worthless Consort, included "£200 out of the issues of the castle, town, and barton of Bristol, to be rendered by the farmer of the same" (Lord de Badlesmere). Queen Isabella soon afterwards surrendered this patent, and on October 31st the above rent, and many others, were granted to the King's infant children, John and Eleanor. This patent was also revoked on May 1st, 1320, and the income was restored to the Queen for the maintenance of the children. In February, 1327, Isabella, a few months before the murder of her husband at Berkeley, forced him to make large additions to her dowry, raising it to the vast sum of £8,722. The grant, which included the Bristol profits, as before, was annulled by Parliament in 1330. It will be shown in future pages that for upwards of three centuries the royal income from the town was almost invariably conferred as dowry on the Consort of the reigning sovereign, a circumstance which resulted in Bristol being frequently styled "the Queen's Chamber" in corporate negotiations at Court. Shakespeare, in "Richard the Third," styles London "the King's Chamber."

No. 3.* CHARTER OF CONFIRMATION, 1322.

When at Gloucester, February 17th, 1322, the King executed a charter confirming that granted to Bristol by his father, Edward the First, in 1300. The latter instrument is copied verbatim, and ratified in the customary manner. The witnesses were Edmund, Earl of Kent, the King's brother, and other nobles.

No. 4.* LICENSE IN MORTMAIN, 1329.

There is in the Council House a fragment of letters patent, dated October 20th, 3rd Edward the Third (1329), but the purport of the document cannot be made out from what remains. On reference to the Patent Rolls, it appears that on the above date the King granted a license to Thomas Belcher, of Bristol, to alienate in mortmain three houses in the town for the endowment of a perpetual chantry in St. Stephen's Church.

No. 5.* CHARTER OF CONFIRMATION. ORPHANS' ESTATES, 1331.

On January 12th, 1331, Edward the Third by letters patent confirmed the charter of 1247 uniting Redcliff with Bristol for taxable purposes, and also his grandfather's charter of 1300. He also ordained, " for the gratification of the burgesses," that, although some of the liberties previously accorded had not been

fully taken advantage of, they were to be thenceforth fully enjoyed without molestation from royal or other officials. Moreover, as, according to the custom of the town, the goods of orphans under age ought to be committed by the Mayor to proper guardians for such children, and as such guardians had sometimes removed from the town without giving security for fulfilling the trust, whereby the children's property had been wasted, the King empowered the Mayor, for the time being, to secure by recognizances that orphans' estates should be properly managed, and duly surrendered at an appointed time. Further, the King having been informed by two justices that the burgesses, from time beyond memory, had enjoyed View of Frankpledge (a yearly Court of Record) within the town and suburbs, and that they, being in fear that such privilege might be impeached because they had no charter to warrant it, were willing to pay a fine for its confirmation, does, therefore, grant and confirm it to them, and forbids them being troubled by the royal justices, or others.

The last clause of the above charter, which cost the burgesses £40, had been petitioned for in consequence of the malevolent and vexatious repudiation by Maurice de Berkeley of the corporate jurisdiction in Redcliff. Lord Berkeley was now compelled to

obey the royal behests, and on the 17th August, 1331, he executed a grant to the Mayor and commonalty (a copy of which forms the first entry in the Great Red Book) of all his rights "in Bristol and the suburb of Bristol," including View of Frankpledge, assizes of bread and beer, the privilege of executing felons, prison, gallows, pillory, and tumbrel (ducking stool). The above charter and deed were unknown to Mr. Seyer.

No. 6.* REGRANT OF THE ABOVE CHARTER.

SAME YEAR.

For some reason, now inexplicable, the above charter was practically set aside by another, dated October 16th, in the same year. The only apparent difference in the two instruments is that the earlier confirms the charters of 1247 and 1300, while the latter ratifies those of 1247 and 1322; but this, to modern eyes at least, is almost a distinction without a difference, for the charter of 1322 was merely a bald confirmation of that of 1300. As regards all the other clauses, the documents are identical. The second, reproduced in Seyer's "Charters," is witnessed by the Primate, the Chancellor, and several of the ex-guardians of the young King.

ROYAL TAXATION, 1336.

The Parliament held in the tenth year of this reign granted the King two subsidies—a tenth and a fifteenth —payable in two instalments. The corporate authorities in Bristol, apprehending probable exactions by the commissioners charged with assessing the taxes, hastened to proffer the Crown, through Hugh de Langebrugg, Mayor (and twice M.P.), a lump sum of £220 to be relieved from the first payment; and the King, by letters patent, addressed to the Mayor and men of the town and suburb, assented to the proposal, ordaining that their goods should not be taxed for that time. The arrangement was so satisfactory to the burgesses that six months later, when the second instalment became payable, they doubtless resorted to a "collection" (see page 37), by the help of which Roger Turtle, then Mayor, was enabled to repeat the operation of his predecessor, with similar success. The letters patent have perished, like so many others, but they are duly recorded in the Exchequer Rolls of the year. In October, 1340, a royal mandate was addressed to Roger Turtle and others, requiring them to assess £244 8s. 10d. upon the burgesses, being one-ninth of their movables for one year, just granted by Parliament, and to compel payment by distraint if necessary, as the King had been informed that some

men of the town refused to pay their proportion. (Patent Rolls.)

ROYAL INQUIRY AS TO MURAGE, &c., 1339.

Another license under letters patent was granted by Edward the Third in 1339, whereby he renewed, for a term of four years, the privilege of collecting tolls for repairing the quays, first granted by his father in 1317, and subsequently extended, at intervals of three or four years, by his father and himself. It appears from the Chancery Rolls at the Record Office that information was received by the Crown about the close of 1338, that these tolls, and also the similar dues granted for repairing the town Walls, which were also being collected under short royal licenses, had not been wholly devoted to the prescribed objects, but that the greater part of the receipts had been diverted by the civic authorities to their own use, or to illicit purposes. It may be suspected that these allegations arose out of some dissension in the municipal body, as the King, on February 10th, 1339, issued a commission to Henry de Stretford and Edward le Frensh—the latter of whom seems to be identical with the Everard le Fraunceys or le Frensh who was Mayor of Bristol in the previous year—commanding them to inquire, with the help of a Gloucestershire jury, what money had

been collected as dues during the previous twenty-one years, and how it had been spent. A jury was accordingly empanelled, and accounts were laid before it, which showed that about £516 had been collected during the period in question. Certificates were also produced, attesting that the receipts had been faithfully expended, though it was admitted that a small part of the Quayage had been devoted to amending the pavements. The jury thereupon recorded the facts brought forward, throwing aside the charge of malversation. (A translation of the King's writ and of the record of the inquisition, two lengthy documents now in the Record Office, was given by Mr. Henry Bush in his interesting but little-known work on the "Bristol Town Dues," pp. 90–3, published in 1828.) The Crown was satisfied with the result, for the Murage and Quayage licenses were renewed from time to time during the following hundred years, the repair of the pavements being expressly sanctioned in each Quayage grant. In 1438, both the dues were included in the lease of the fee-farm granted by Henry the Sixth, and subsequently were vested in the Corporation in perpetuity. (See ante, p. 65.)

No. 7.* GRANT OF A LOCK-UP, 1347.

The earliest notice of a town prison independent of Bristol Castle, and maintained by the burgesses, occurs in a royal writ to the Bailiffs, dated 16th January, 10th Henry the Third (1226), the King ordering that out of the farm of the town they should cause to be erected a place of confinement made of trunks of trees; for carrying out which purpose another writ was addressed to the Constable of the Castle, requiring him to provide the necessary timber out of the wood of Furches, part of Kingswood. (Close Rolls.) The proposed structure was intended to serve for the temporary detention of suspected persons, and as a substantial gaol for the incarceration of felons and prisoners for debt. It existed at Monkenbridge (the site of the later Bridewell) from an early period, and was long in the hands of Crown officials. The wooden cage or lock-up had decayed in 1347, for, on April 24th, Edward the Third issued letters patent, setting forth that in consequence of information that malefactors and disturbers of the peace wandered about Bristol by day and by night committing mischiefs and excesses, to the no small terror of the public; and being desirous of their punishment, he granted to his beloved, the Mayor, Bailiffs, and good men of the town, for himself and his successors, liberty to make "anew," and to

maintain, a "doleum" (cage) for the imprisonment of such evil doers. He further empowered the authorities to inflict punishment on bakers who broke the assize of bread—that is, who diminished the legal weight—by drawing such offenders through the streets on a sledge, and otherwise dealing with them in the manner practised in London, which probably meant sousing them in a pool by means of the Ducking Stool.

The illuminated initial letter of this charter was reproduced in gold and colour by Mr. Seyer in his "Charters"; and a photogravure of the entire document is given in the printed edition of the Little Red Book, vol. ii, p. 33. The initial contains a sketch of the doleum, a wooden hut on wheels, amusingly resembling a seaside bathing machine; and also depicts a roguish baker, with an unjust pair of scales over his head, who is being dragged upon a hurdle.

DEFENCE OF CHARTERED RIGHTS, 1354-60.

Notwithstanding the charter of John and its repeated confirmations by his successors, under which Bristolians were exempted from being impleaded outside the boundaries of the town, an attempt was made in 1354 to prosecute a burgess named Gode at Gloucestershire Assizes on a charge of unjustly seizing the house and land of a dyer named North. The

Bailiffs of Bristol, however, appeared in Court to produce the charters referred to above, and the judges thereupon decided that they had no jurisdiction. Nevertheless, a charge of a similar character was soon afterwards laid against John Gotorest and Walter Derby, who were summoned to appear at Gloucestershire Assizes at Easter, 1361. The borough authorities now thought it expedient to petition the King for redress, and Edward the Third forthwith addressed a mandate to the judges, directing them to respect the chartered privileges of Bristol, and not to disturb the burgesses in any way. This command was followed up by letters patent, dated November 20th, 1360, reciting the precedent of 1354, which was declared to be a permanent bar against all similar suits. When the case came on for hearing, the judges at once remitted it for trial at Bristol. The documents are lost, but they were copied into the Little Red Book. Walter Derby was afterwards five times Mayor of the borough.

No. 8.* BRISTOL CREATED A COUNTY, 1373.

The Magna Carta of Bristol, as it was fondly called by some local chroniclers, was granted by Edward the Third—for a valuable consideration—on August 8th, 1373. Apart from the pecuniary offering,

His Majesty's favour had been sued for in a lengthy petition from the Mayor and Commonalty, a copy of which will be found in the Little Red Book (vol. i., p. 115). The petitioners represented the grievous inconveniences under which they laboured through the borough being situated partly in Gloucestershire and partly in Somerset, in consequence whereof the burgesses had frequently to travel over thirty miles of deep and dangerous roads to Gloucester or to Ilchester to attend assizes, county courts, juries, and inquisitions, to the injury of their ordinary commerce and business, and the impoverishment of the town. Having intimated their willingness to pay the large sum of £400 for relief from these and other hardships, the King, in consideration of the fine, and of the good service rendered to him by the burgesses' shipping and other things, made concessions which, stripped of much legal verbiage, may be summarised as follows :—

> The town, with its liberties or suburbs, was entirely exempted from the jurisdiction of the two adjoining counties, and was created an independent county, called the County of Bristol. Each future Mayor was to be the King's Escheator. The shire was to have a Sheriff, for which office the burgesses were yearly to nominate three of themselves, one of whom would be elected by the

Crown. The Escheator and Sheriff were to account for all the issues of the borough, and were to have all the powers of similar officers in other shires. The Sheriff was to hold a monthly County Court, like other Sheriffs. The Mayor was to continue to hold his customary Court, as before, and to collect the profits for the use of the Commonalty. The two officers were permitted to return the Crown fines and profits to the Exchequer by their attorneys, and were exempted from personal attendance. The Mayor was thenceforth to be sworn in before his predecessor, and no longer before the Constable of the Castle. The Sheriff was to be sworn in before the Mayor, and the Court of Chancery was to raise no impediment to his election. All civil and criminal trials were to be held by the Mayor and Sheriff, who were empowered to commit prisoners to the gaol of the town—such gaol to be thenceforth maintained by the burgesses—and they were to hold a Gaol Delivery; of which Court the Mayor was to be always one of the justices; and to hang all felons, whether inhabitants or strangers. But the King's Court of the Tolzey was to be held as usual by the King's Steward, and its profits were reserved to the Crown.

The charter further empowered the Mayor to record recognizances of deeds relating to property; to receive probates of wills, and to put wills in execution; also to execute writs issuing from the Courts at Westminster. The burgesses elected Members of Parliament were not to exceed the usual number of two, but they were to be Knights of the Shire as well as burgesses. For the remedy of any deficiencies or defects that might arise, the Mayor and Sheriff for the time being, with the assent of the Commonalty, were empowered to elect "forty of the better or more honest men of the town," who, with the two officials, were to ordain and establish reasonable remedies. [Though a Common Council had not been sanctioned in any previous charter, it may be observed, on the authority of the Little Red Book (printed edition, vol i., p. 25), that about thirty years before the date of the above grant, at the request of Stephen le Spicer, elected Mayor in 1344, "forty-eight of the more influential and discreet men of the town" were elected by common assent as advisers and assessors to the chief magistrate, and for aiding and expediting the business of the town.] The Mayor, Sheriff, and forty men were further empowered to levy

taxes on the rents and merchandise of the inhabitants, the produce of which was to be expended for the benefit of all. Persons disobedient to the ordinances of the Common Council, or members of that body stirring up discord betwixt it and the community, were to be forthwith punished by the Mayor and Sheriff. Finally, the King confirmed all liberties and acquittances formerly granted by his predecessors and himself.

The charter, of which a reduced photographic facsimile will be found in the printed edition of the Little Red Book, was witnessed by the Primate, the Chancellor, Edmund Earl of Cambridge, the King's son (ancestor of the present Royal Family), and other nobles.

No. 9.* BOUNDARIES OF THE NEW COUNTY.

On September 1st, three weeks after the execution of the above Charter, the King, desirous to be certified as to the precise limits of the new county, so as to definitely separate it from Gloucestershire and Somerset, appointed a body of Commissioners to make a faithful perambulation of the boundaries, as well by land as by water, in the presence of the Sheriffs of the two counties, and to fix the liberties by permanent marks.

The Commissioners accordingly summoned the Mayor, the Sheriffs, and twenty-four county jurymen —knights and gentry—to assemble at Temple Gate on the morrow of Michaelmas Day; and at the appointed hour, thirty-six jurymen having been sworn (twelve being forthcoming from Bristol), the perambulators began their work at Tower Harratz, on the brink of the Avon (now covered by the Railway Station). Proceeding westwards on the skirts of Redcliff to Brightbow—King John's "Brightnee"—they turned at that bridge to Treen Mills (Bathurst Basin), and thence travelled on the left bank of the Avon down to the then mouth of the river, and thence along the shore of the Severn, by Portishead Point, to "Clevedon Hoe." The party then embarked to visit the Steep Holm, the Flat Holm, the Denny Island, and "Avonroad." Returning to land at the last-named spot, the right bank of the Avon was followed to Woodwell Lake, at the bottom of the road leading to Jacob's Wells, which road was traversed to the summit of the hill. Thence progress was made through the fields long afterwards converted into Tyndall's Park; and the extreme northern boundary was reached at Bewell's Cross—the site of the Gallows—and Bewell's Well. A crooked course was next taken over Kingsdown, and thence towards the Froom near what was afterwards

known as Baptist (Bagpath's) Mills; and the left bank of that river was then followed until reaching the Castle Ditch. As the Castle and its precincts were not included in the royal grant, the narrative here becomes somewhat unintelligible. Eventually the perambulators turned their steps to Lafford's Gate, then returned, *via* St. Philip's Church, to Newgate; and finally followed the right bank of the Avon to a spot opposite Tower Harratz, where their exhausting journey had begun. The three juries having concurred in fixing the boundaries thus traversed, a lengthy certificate to that effect was duly executed.

Saving the absorption by the city of the Castle Precincts in 1629, and of a slender strip of Clifton parish in 1776, the municipal boundaries as above defined were maintained for more than 460 years, being first largely extended in 1835.

No. 10.* THE FIRST SHERIFF OF BRISTOL, 1373.

On October 1st, King Edward, by letters patent, confirmed the election of John Viel as first Sheriff of Bristol.

FIRST ELECTION OF COUNTY MEMBERS, 1373.

On October 4th, a royal precept was addressed to the new Sheriff, notifying that a Parliament was about

to be held for the consideration of urgent business. As the terms of the writ were of an unusual character, they are here given from the Patent Roll :—

> " We command and strictly enjoin you to cause two burgesses to be chosen of your county out of the more discreet and more sufficient men who have the best knowledge in navigation and exercise of merchandise ; and cause them to come to the place and at the time appointed ; so that the said burgesses may have full powers for themselves and the community of the said county to act and consent to those things that may be ordained . . . so that our businesses do not remain in any wise undone through a defect of their power, or through an imperfect choice of the said burgesses."

The precept, and the Sheriff's return, notifying the election of Walter Derby and Thomas Beaupine, are in the Record Office.

No. 11.* CONFIRMATION OF THE BOUNDARIES, 1373.

An exemplification and ratification of the Commissioners' certificate of the Perambulation were set out in royal letters patent, dated October 30th. (See Seyer's " Charters.")

No. 12.* CONFIRMATION BY ACT OF PARLIAMENT, 1373.

An Act, setting forth the King's charter, the Perambulation, and the above royal exemplification, and confirming all those documents, obtained Parliamentary sanction, and the statute received the Royal Assent by letters patent on December 20th.

No. 13.* DUPLICATE OF THE GREAT CHARTER.

The local authorities spared no expense to secure the enlarged liberties of the borough. Besides the fine paid to the King, representing about £8,000 in modern currency, a heavy outlay for the subsidiary documents at Court and at Westminster, and the entertainment of the Royal Commissioners and county juries, a second copy of the charter was obtained at considerable expense. To make assurance doubly sure, the civic body, soon after the death of Edward the Third, petitioned for a

No. 14.* CHARTER OF CONFIRMATION, 1378.

By this instrument, dated February 8th, 1378, in which the treasured charter of 1373, and the less important one of 1347, were set out *in extenso*, Richard the Second ratified and confirmed all the privileges conceded by his grandfather.

No. 15.* FURTHER CONFIRMATION CHARTER, 1378.

Probably from an oversight, a confirmation of the charter of 1331 was not included in the last-named instrument. Steps were forthwith taken to repair the omission, and a second charter for that purpose was sealed on February 28th.

No. 16.* THE QUAY PIPE, 1391.

On June 16th, 1391, a curious legal agreement, made by Thomas Knapp, Mayor, and the Commonalty of Bristol, with the Prior and brethren of the Dominican Friary near the Weir, was executed in the Guildhall. The indenture set forth that the Mayor and Commonalty had granted " for ever " (!) to the Friary a fistula, or feather, of the magnitude of a swan's quill, out of the conduit near the Barrs supplying the Quay Pipe, and engaged to keep such conduit in repair, and to in no way defraud the friars of their supply. In consideration of which grant, the Prior and friars conveyed to the Mayor and Commonalty, for ever, a spring called Peny Well and the conduit leading from the same ; which spring, the deed alleged, had been recently given to them by the King, subject to a yearly quit rent of twelvepence, payable to St. James's Priory.

Why the friars should have made an untruthful statement as to their title to the spring, it is difficult to conjecture. The Patent Rolls prove that "Paniwell" and the conduit were really granted to them on December 17th, 1232, by Henry the Third, and that the gift was merely confirmed by Richard the Second in September, 1384.

A memorandum guaranteeing the grant made by the civic body, having a piece of brass pipe attached, fixing the diameter of the feather, was given to the friars. It is now amongst the archives of St. John's Parish. The King's sanction to the exchange being required under the Statutes of Mortmain, Richard the Second, two months later, ratified the agreement by letters patent.

EVASIONS OF KNIGHTHOOD, 1392, &c.

One of the expedients occasionally resorted to by the Crown for the purpose of raising money was to require wealthy men to accept the order of knighthood, which involved personal military service in time of war, or to pay a fine for being exempted. In 1392, Richard the Second issued a precipe to the Sheriff of Bristol, directing him to require all the inhabitants of his county possessing real property to the yearly value of £40 to apply for knighthood. The Sheriff con-

sequently ordered an inquisition to be held on May 21st, when the jury declared on their oaths that there was no person in Bristol in possession of the requisite income—a somewhat audacious assertion in view of the fact that some prominent members of the Common Council, such as William Canynges, John Barstaple, and Thomas Knapp are known to have been men of large means.

Another attempt to enrich the royal exchequer in this way was made by Henry the Fourth, in November, 1410, and met with a similar repulse, the Sheriff's inquisition resulting in a declaration that no inhabitant of the county possessed a certain income of £40 in land or rents, as many tenements often stood long vacant, continually needed repairs, and were often damaged by storms or fire.

In the following century, the same prerogative was exercised by Edward the Sixth and Elizabeth, but in each case the citizens succeeded in evading the royal demands. On the revival of the practice by James the First, Richard Rogers, of the Great House next Bristol Bridge, the son and heir of a wealthy soap-maker, was compelled to become a knight in consequence of his extensive estates in the neighbouring counties, but the royal net was escaped by all his prosperous fellow-citizens. Escape was

however, impossible during the despotic rule of Charles the First. On June 29th, 1631, a royal commission was addressed to the Mayor and a few notable citizens, directing them to summon such inhabitants as, from their position in life, were qualified to become knights, and to impose fines on those who refused to accept the dignity. The King's intention to raise money by this device had become known some time previously, for on June 7th, three weeks before the mandate was issued, the Common Council directed the Town Clerk to proceed to Court "to procure the commission for compounding for knighthood to be addressed to the Mayor and Aldermen and such others as shall be thought meet, that have already compounded, or must pay." The issue proved that this negotiation had been successful. The Mayor and the aldermanic nominees naturally took advantage of the opportunity to deal tenderly with their own pockets, but the fines they levied on themselves are not recorded. In addition to these voluntary victims, no less than forty-four citizens were adjudged to be qualified for knighthood, and as all of them without exception declined the "honour," they were ordered to pay fines varying from £41 6s. 8d. to £6 13s. 4d., the former sum being assessed upon Alexander James, and the latter on a young man then commencing

business—William Colston, father of the great philanthropist. The total amount derived from the operation was £626, which the royal precept required to be brought in within ten days of the inquisition.

On the restoration of Charles the Second, this and other feudal prerogatives of the Crown were abolished by statute. It is somewhat singular that whilst rich Bristolians shunned the dignity of knighthood so long as it could be held over them as a means of extortion, they began to covet it when it was gratuitously scattered about by royal caprice. In the forty years ending 1700, twenty-one citizens were dubbed knights by Charles the Second and his two successors.

No. 17.* CHARTER OF CONFIRMATION AND FURTHER LIBERTIES, 1396.

Richard the Second, in the course of his unhappy reign, paid repeated visits to Bristol; on one occasion with a large army, with which he embarked for Ireland. During those sojourns the burgesses suffered much oppression from the Steward and the Marshal of the royal household, who extorted large supplies of food and wine for the Court under the prerogative of "purveyance," and the abuse eventually became so grievous that appeals were raised for relief. In consequence, on April 1st, 1396, the King granted a

charter, in which, after strangely ratifying the two confirmatory instruments issued by himself in 1378, a wholly unprecedented act, he ordained, as had been repeatedly ordained, that the non-user of any privileges in the past should be no bar to their exercise in the future. And, at the further prayer of the burgesses, he decreed that his Steward and Marshal of the Market should not thenceforth exercise their offices in Bristol, or in any way disturb the liberties of the townsmen. This charter, which may be read in Mr. Seyer's book, was witnessed by the two Archbishops, the Dukes of Lancaster, York, and Gloucester, the King's uncles, his cousin, the Earl of Derby, soon to become Henry the Fourth, and many of the high nobility.

No. 18.* CHARTER OF CONFIRMATION, 1401.

On the deposition of Richard, the Bristolians lost little time in petitioning the new monarch for a recognition of their liberties. In response, on February 17th, 1401, a mighty charter was executed, reciting and confirming the late King's letters patent of 1378 and 1396, embracing all the voluminous documents relating to the Great Charter of 1373, and the charter of 1347. This huge instrument was unknown to Mr. Seyer, but is preserved in the Council House.

THE MAYOR'S ROBES ACT, 1403.

In the Parliament held in 1403, an Act was passed for restraining extravagance in dress amongst all classes of society except the nobility. One of the clauses forbade esquires and meaner persons to wear gowns trimmed with costly furs, but the Mayors of London, York, and Bristol were specially exempted from this regulation. (Rolls of Parliament.)

TRINITY HOSPITAL, 1407.
FOSTER'S ALMSHOUSE, 1485.
CHAPEL ON BRISTOL BRIDGE, *c.* 1360.

In 1407 Henry the Fourth granted letters patent to John Barstaple (thrice Mayor of Bristol) permitting him, notwithstanding the Statutes of Mortmain, to found a hospital and guild of the Holy Trinity near Lafford's Gate, which institution, having buildings on both sides of the highway, was to be incorporated in perpetuity, and was to be governed by a chaplain, to be styled Master of the Guild, with powers to plead and be impleaded and to have a common seal. On February 15th, 1417, Henry the Fifth confirmed this charter, and granted leave to found, on the existing institution, a hospital and guild in honour of the Holy Trinity and St. George, which was to enjoy all the privileges granted to Barstaple. The chapel of the

hospital is not mentioned in either of the charters, but doubtless formed part of the original buildings.

Barrett's history states that Foster's Almshouse was founded "about 1504." But a deed in the Council House shows that on April 20th, 1485, the Abbot of Tewkesbury, dealing with property belonging to St. James's Priory, granted to John Foster (Mayor, 1481) a lease (afterwards converted into a conveyance in fee) of a corner house and piece of land situated at the upper end of Stipe Street. Moreover, Foster, in his will, dated in August, 1492, directed his executors to appoint a priest to sing in the chapel which he had already built in honour of the Three Kings of Cologne, and to pay twopence weekly to each of the thirteen poor people living in chambers adjoining the chapel. One of Foster's executors, a man of good position named Walsh, betrayed the trust reposed in him by secretly disposing of part of the almshouse estates and embezzling the proceeds; but his abstractions were more than made good by his fellow executor, John Esterfield (twice Mayor), whose generosity is recorded in the Great Red Book. The number of almsfolk was soon after increased to twenty-three by the liberality of George Owen, probably a Bristolian by birth, who had been physician to Henry the Eighth. His royal patient

having presented him with the suppressed Hospital of St. John the Baptist in Redcliff Pit, together with all its estates, the doctor transferred a considerable portion of the property (now producing about £1,500 a year) to the Corporation, in trust for the almshouse.

The endowments of both the above charities were vested in the civic body, who placed their management in the hands of feoffees, elected from time to time. The institutions had a narrow escape from confiscation in 1548, when, in pursuance of an Act passed for transferring to the Crown the estates of all the chantries and free chapels throughout the kingdom, nearly 2,500 in number, a body of Commissioners arrived in Bristol to carry the spoliation into local effect. The chantries in the various city churches possessed estates whose yearly value in the present day would certainly exceed £10,000 per annum. They were then found to be worth £360 yearly, or rather were represented to be of that value, for as the whole of them were sold to one of the inquisitors, a notorious gambler named Miles Partridge, afterwards hanged—who was supplied with most of the purchase money by one of his colleagues, Sir William Sharington, who narrowly escaped a similar fate for coining debased money in Bristol Castle for treasonable purposes—the amount of the rentals was probably much understated. The

Merchant Venturers' Chapel of St. Clement, the Weavers' Chapel of St. Catherine, the Tailors' Chapel of St. John, the Chapel of the Assumption on Bristol Bridge, and the Chantry Chapel of St. John on the Back were, with the estates connected with them, seized for the Crown; and the services at St. George's Chapel were stopped. The Commissioners found themselves unable to suppress the almshouses; but they ordered that their chapels, together with such a portion of the hospital estates as was equivalent to the stipend of their respective chaplains—about £6 per annum in each case—should be surrendered to the King. From some inadvertence, this decision appears to have been overlooked by their superiors; but the neglect was discovered many years after by some legal sharpers, who made a vile living by hunting after "concealed Church lands," and in March, 1577, two Bedford men named Gray petitioned Queen Elizabeth for a grant of the two chapels and the reserved rents, which they obtained on payment of a quit rent of £1 13s. 4d. per annum. The grantees or their assigns then came down upon the Corporation, who were compelled to submit to their terms, and obtained a transfer of the Queen's conveyance for £66 13s. 4d. The Court quit-rent became, of course, a permanent burden on the charities.

The Chapel of the Assumption on Bristol Bridge may be conveniently mentioned here in connection with the above confiscations. It was built about the middle of the fourteenth century; and as Queen Philippa, the Lady of Bristol, and possibly the King, made some donation towards its erection, they were, as was not unusual under such circumstances, sometimes styled the founders of the building. A brief of Pope Boniface IX., dated March 22nd, 1400, nominating a chaplain to the edifice, is probably more trustworthy in stating that it was constructed by the Mayor and Commonalty. The lower story of the fabric (for the chapel was built over an archway similar to that supporting the tower of St. John's Church) contained a large chamber used for corporate gatherings; the chaplain was also chaplain to the Mayor, whom he attended daily; two ex-Sheriffs managed the chapel estates as proctors; and the whole of those estates appear to have been local gifts. When the Chantry Commissioners made their appearance, it is consequently not surprising to learn that the Corporation made vigorous efforts to rescue the chapel property (valued at about £27 per annum) from the clutches of the Government. Those efforts having failed, the Common Council next appealed to the Crown for a grant of the chapel itself, and Edward

the Sixth, by letters patent, graciously permitted its conveyance to them for what was considered its full value. The corporate audit book for 1548 contains the following :—

> Paid to the King for the purchase of the site, with the Priest's Chamber (an adjoining tenement), £40.
> More to the King for the bells, and all the vestments and implements, £11.

About £40 more had to be expended in journeys to London, bribes to Court officials, and fees for passing the patent. On the other hand, the bells, etc., were resold for the price paid for them, and the proctors handed over funds in hand, of which the Commissioners had luckily failed to get scent, amounting to about £55. The archway across the bridge, a great obstacle to traffic, was removed in 1649. (See page 142.)

No. 19.* CHARTER OF CONFIRMATION, 1414.

On the death of Henry the Fourth, the Corporation, as had then become a regular custom, applied to his successor for a confirmation of ancient privileges. (This custom was probably grounded on a belief—which subsequent pages will show was not unreasonable—that a new King might claim an inherent right to ignore the acts of his predecessors.) The petition on this occasion was backed up by a present of 50

marks. The coveted charter, executed on January 12th, 1414, is a little longer than the portentous instrument obtained in 1401, all the charters in which are textually set forth, ratified, and confirmed. This patent also escaped Mr. Seyer's attention.

ELECTION OF SHERIFF, 1422.

Under the provisions of the Great Charter of 1373, the Common Council were required to nominate yearly three burgesses fitted to occupy the office of Sheriff, one of whom was selected by the Crown. On October 12th, 1421, Henry the Fifth appointed Nicholas Bagot by letters patent, but that gentleman died on January 2nd, 1422, whereupon the Council assembled within a few hours, nominated three leading townsmen, and certified the facts to the Lord Chancellor by special messenger. The King, by a patent dated January 28th, selected John Milton as Bagot's successor, and directed that he should hold office until October 12th, the anniversary of Bagot's appointment. This fact seems to prove that the shrieval and the mayoral years were not then conterminous. All the documents relating to the incident were inserted at length in the Little Red Book (vol. i., p. 142) for the guidance of the Corporation in case of a similar "misfortune" occurring thereafter.

No. 20.* CONFIRMATION CHARTER, 1424.

The untimely accession of an infant King, in August, 1422, led to a repetition of the steps taken eight years previously, and another charter of confirmation was executed on July 19th, 1424. The documents recited in that of 1414 being all repeated over again, the instrument is necessarily longer than even its forerunner. Mr. Seyer was unaware of its existence.

No. 21.* HOSPITAL OF THE GAUNTS, 1424.

The letters patent about to be briefly described did not concern the corporate body when they were issued, but came into its possession about 120 years later, on the purchase of most of the estates of Gaunt's Hospital from Henry the Eighth, as will be shown in a future page.

The charter is dated 27th March, 2nd Henry the Sixth (1424), and confirms a number of charters granted by the King's progenitors, namely :—

> By Edward the First. License in mortmain, permitting the Master of the Hospital to accept a house at Wells, the gift of the Prior of St. John's Hospital. And a similar license to receive from Robert Gyene, of Bristol, a house and two acres of land in the suburb of Bristol.

By Henry the Third (1247). Grant to the Hospital of free warren at Poulet and Stockland. Also (1257) grant of a yearly fair for three days at Poulet.

By Edward the Second (1323). Confirmation of a charter by Henry the Third confirming a gift to the Hospital by Robert de Gourney of the Manor of Poulet, of mills at Were and Radwick, and of houses at Bristol; also a gift by Andrew Luttrel of the Manor of Stockland; and also Maurice de Gaunt's gifts of lands there.

By Edward the Third (1334). Confirmation of a charter of his father confirming to the Hospital a grant made in 1268 of the Manor of Winterborne Gunner by Edward [the First], son of the King; also confirmation of gifts made by Sir Alexander Daundo, Idonea Gaunsel, wife of Richard the Huntsman, Richard Curteys of Bristol, and William Cannel, of lands, houses, and rents at Halfborough, Earthcot, Bristol, and other places; also of licenses in mortmain permitting the Hospital to hold the advowsons of Stockland and Over Stowey; also an inspeximus of a charter of Henry the Second, confirming a grant by Robert Earl of Gloucester to Robert, son of Harding, of the villas of Poelet and Baro [Barrow

Gurney] woods and lands, which estate had fallen to the Hospital, and was now confirmed to it.

[Maurice de Gaunt was a grandson, and Robert de Gurney a Great-grandson of Robert Fitzharding.]

No. 22.* ACT CONCERNING THE M.P.'s FOR BRISTOL, 1425.

The burgesses were greatly offended in 1425 by the carelessness or insolence of the Clerk of the Crown, who, ignoring the provisions of the Great Charter of the town, sent down a writ for the election of two Parliamentary "burgesses," withholding their proper title of knights of the shire. His conduct was regarded as grossly disrespectful, and an infringement of chartered rights. A petition in Norman French (a whim of the age) was prepared for presentation to Parliament by the two members elected—Henry Gildeney and John Langley—reciting the charter of 1373, and praying for relief. The Houses recognised the justness of the complaint, and represented the facts to the King, who concurred with their decision, and ordained that the burgesses should not be prejudiced in future. His assent, by letters patent, raised the petition to the dignity of a statute (Rolls of Parliament), a copy of which was sent to the Corpora-

tion under the Great Seal. The incident was overlooked by Mr. Seyer.

(This royal document was placed, early in the last century, in a tin case, bearing a japanned inscription attributing the date of the charter to the reign of Henry the Fourth.)

No. 23.* CERTIFICATE AS TO TITHES, 1426.

A certificate of an episcopal commission charged with making enquiry into the tithes of certain Bristol parishes, dated August 14th, 1426, has been, by some ancient inadvertence, placed amongst the corporate charters. It appears to be destitute of interest.

No. 24.* LICENSE IN MORTMAIN, 1435.

On December 14th, 1435, Henry the Sixth granted a license to the Mayor and Commonalty to purchase land or tenements in mortmain to the value of £100, the yearly income from which was to be devoted to the maintenance of the Quays, the Walls, and the pavement of the town. It is probable that the grant had been applied for in consequence of the receipt of a gift or bequest for public purposes by some generous inhabitant.

No. 25.* GRANT OF ADMIRALTY JURISDICTION, 1446.

Before the close of the fourteenth century, the merchants and traders of Bristol and other provincial ports had addressed petitions to the Crown complaining of the encroachments of the Court of Admiralty in London, which not only assumed exclusive jurisdiction over all matters occurring on the high seas, but also persistently usurped the privileges of the Courts of Common Law by claiming cognizance of disputes betwixt merchants and mariners, and even between persons neither merchants nor mariners, in inland places, at home and abroad—such suits being, moreover, often delayed for three or more years, and sometimes to the utter ruin of the persons concerned. The Parliament of 1394 had endeavoured to check the abuse, and at a later date some charters of exemption had been granted by the Crown, but the rapacious Civil Law officials continued their usurpations, and in 1428 they ordered the seizure of a ship in Bristol harbour, under pretence that the vessel was on the open sea. Further irregularities having been practised, the burgesses appealed for relief to Henry the Sixth, and the King, on February 5th, 1446, granted them a new charter, exempting the town and its liberties from the power and jurisdiction of the Court of

Admiralty. In the event of an Admiralty suit arising in the port, the King undertook, for himself and his successors, that a commission should be issued to the Mayor and Recorder to hear and determine the dispute. (The original charter is in the Council House, but is so much mutilated as to be almost illegible. A copy was, however, inserted in the Little Red Book, vol. ii., p. 206.) The King added that he had conferred this exemption in consideration of the many services rendered to himself and his predecessors by the merchants of Bristol, and in gratitude for a free gift of £200 made to him in his necessities by the Mayor and Commonalty. Like all the other charters of the Lancastrian kings, this charter is not to be found in Mr. Seyer's collection.

DISFRANCHISEMENT OF THE COMMONALTY, 1447.

The charter and act constituting Bristol a county, and raising its Members of Parliament to the dignity of knights of the shire, brought about events in the fifteenth century that could have been little foreseen by the community that paid so largely for the local Magna Carta. From the first summons of a House of Commons, the choice of representatives for the borough had been made by those entitled to be styled

burgesses, that is, by such of the inhabitants as were liable to contribute to the direct taxation levied on houses and goods, and towards the payment of the yearly fee-farm rent due to the Crown for its concession of liberties and privileges. The franchise was not, however, highly valued by those possessing it, and in quiet times the elections, which took place at the monthly borough moot, were probably left to the discretion of the wealthier merchants and traders from whom the Members of Parliament were necessarily selected. There is some evidence that the charter of 1373 made no change in local arrangements. A writ for the election of members having been received in 1411, an indenture (preserved at the Record Office) dated October 26th, made between the Sheriff of the one part and the Mayor and other leading burgesses of the other part, recites that the more sufficient and discreet men had assembled, and had chosen Thomas Norton and David Dudbrook to be, as well knights for the county as burgesses for the borough; and that the said Thomas and David had been directed to serve "with the consent and assent of the Mayor and aforesaid honest men, and of the whole town of Bristol."

Irregularities soon afterwards crept into many borough elections through the rise and growth of

corporate oligarchies, and in 1413 the first Parliament of Henry the Fifth enacted a statute affirming that borough representatives had always been, and should always in future be chosen by the citizens or burgesses resident in and freemen of their respective cities or boroughs, and by no others. A few years later, the rapid widening of the franchise in counties by the subdivision of estates—every freeholder, however humble, being entitled to vote—excited the jealousy of the great landowners, and in 1429, a statute, promoted by the aristocracy, disfranchised a large proportion of the rural constituencies. The Act asserted that the elections of knights of the shire had of late been made by great and excessive numbers of people, most part of whom, though of small substance, claimed to have a voice equivalent with the most worthy knights and esquires, whereby riots, loss of life, and dissensions had frequently arisen; and it was therefore enacted that, at all future elections, the suffrage should be restricted to such men as owned real property worth at least forty shillings yearly (in modern currency at least £30). A Sheriff making a return in contravention of the statute was made liable to a fine of £100.

It would seem that the Crown officials overlooked the peculiar case of Bristol; whilst the advantages

offered by the Act to the influential local class that had been long striving for a monopoly of power were for a time unperceived; for the writs commanding elections to take place, and the returns made thereto by the Sheriffs, continued to be drawn up in the long accustomed form. But a great change took place in 1447, when, probably at the instigation of wealthy Bristolians (for no change was made in the precept to the Sheriff of Newcastle, also an independent county), the royal writ directing an election of burgesses ordered such choice to be made "by the majority of men dwelling in the county, who have a freehold of forty shillings a year at least." Bristol being a county, and its members knights of the shire, it was held that those burgesses who were not freeholders, or who possessed only two or three small freeholds, were no longer entitled to the franchise, however largely they might contribute towards royal and local taxation; so that the wealthier landlord class (or rather the resident wealthy landlords, for at least a third, and probably one-half, of the freeholds in the town belonged to ecclesiastical institutions, hospitals, the Corporation, small owners, and non-resident lords and gentry) were left free to act at their discretion. The result is shown by an indenture in the Record Office, dated July 31st, 1447, purporting to be made between John

Troyt, Sheriff of Bristol, of the one part, and the Mayor (Richard Foster) and other magnates, who are described as "burgesses and merchants dwelling in the town, each of whom hath a free tenement of the value of forty shillings a year," of the other part. The deed recites that, in conformity with the writ, the burgesses entitled to vote in conformity with the Act of 1429 had been called together, and that Thomas Young (William Canynge's half-brother) and John Sharp had been elected "with the assent and consent of the Mayor and honest men aforesaid," the persons chosen having "the greater number [of voices] of all those who can spend forty shillings yearly." The document adds that such choice was also approved by "the whole Commonalty of the town"—which the reader is free to believe, if he be so minded. In any case, "the whole Commonalty," numbers of whom had previously been voters, were carefully left out in the cold, and the election was effected by a little coterie of thirty-four gentlemen in a private conclave. As the names of these worthies have never appeared in print, and as the select party doubtless included all the local *gros bonnets* of the time, I append the roll as it appears in the indenture:—Richard Foster, John Burton, John Sharp, Thomas Halleway, Clement Bagot, William Canynges, John Stanley, John Ship-

ward, William Codur, John Ford, John Bolton, John Hoke, John Gosselyn, William Pownham, Thomas Hore, Philip Mede, William Pavy, Thomas Bateman, John Spicer, Matthew Sherwyn, John Bonce, John Bonet, William Hendy, Peter Ledbury, John Palmer, William Brown, John Colyns, John Brown, William More, Thomas Vyell, William Rookes, William Blays, John Neele, and William Knyght.

It is impossible to say how long the free burgesses were deprived of their ancient right, for not a scrap of information in reference to Parliamentary elections is discoverable in the corporate archives. It is, however, amusing to notice that while the freeholder class, as represented by the Common Council, took advantage of the Act of 1447 for its own advantage, the duties of a county constituency were quietly shirked. By long established custom, the "wages" of a knight of the shire during his attendance at Westminster were fixed at four shillings per day. But down to 1567, a member for Bristol invariably received only two shillings, like the burgesses of other large towns. The first vigorously contested election for the city took place in 1571, under circumstances that will be dealt with hereafter; and, from its resulting in the defeat of the influential merchants by the traders and craftsmen, it goes far to prove that the suffrage

had then been recovered by the latter classes. This presumption is strengthened by the fact that, in 1625, a resolution was passed by the Common Council ordaining that, at every future election, the choosing of members should be confined to the members of the civic body and resident freeholders, for though this is called an "ancient and laudable custom," there could have been no need for such a resolution if the "custom" had not been long obsolete. The three subsequent general elections took place under the narrowed suffrage, and synchronised with the regal despotism of the period, the free burgesses in 1640 vainly claiming their right to vote "in conformity with statutes." Presumably they obtained redress from the Long Parliament, though there is no record to that effect. In 1664, when the Corporation applied to Charles the Second for a confirmation of his father's charters, their petition, as originally drafted, prayed that the franchise should be again limited to themselves and the freeholders, "but the clause," says Barrett, "was not thought proper by counsel at law, and so omitted."

No. 26.* PARDON OF THE MAYOR AND SHERIFF, 1452.

On the death of Thomas Lord Berkeley, in 1417, a violent quarrel concerning the family estates broke

out betwixt his only child, Elizabeth, wife of the Earl of Warwick, and James Lord Berkeley, the heir male and successor to the barony. After the Countess's death, the dispute was carried on by her three daughters, and especially by the eldest, a masterful woman, who had married Viscount Lisle. The legal battle over the property was still being waged when the impotence of the Government, which soon resulted in the Wars of the Roses, produced widespread lawlessness and confusion. In November, 1451, the enemies of Lord Berkeley surprised him in his castle, and dragged him by main force to the Grey Friary in Lewins Mead, Bristol, whence he was brought up before the Mayor and Sheriff, and constrained to enter into three bonds, one of which was for the enormous sum of £10,000. On regaining his freedom he appealed to the King, who probably made a vain effort to bring the litigants to terms, but in the absence of information (even Ricart, the compiler of the Mayor's Kalendar, and a living witness of what had occurred in Bristol, passes it over in silence) the issue is unknown. On May 22d, 1452, the King, by letters patent, granted a Pardon to John Stanley, Mayor, and Richard Hatter, Sheriff, "for their transgressions and rebellion" against the Crown, and remitted the fines they had thereby incurred. The document was unknown to Mr. Seyer.

No. 27.* NEW ADMIRALTY CHARTER, CONFIRMATION BY STATUTE, 1461.

On the accession of Edward the Fourth, the new King intimated his intention to repudiate the grants of his predecessor, who was styled in many documents, "King in fact but not in right." The local authorities having been ordered to return the charter of 1446 into Chancery, that it might be cancelled, took immediate action, and on their petition the King, on October 22d, 1461, making no allusion to the condemned charter, again granted the town exemption from the jurisdiction of the Admiralty Court. The new charter, which is printed with a translation in Mr. Seyer's work, is practically a reproduction of its forerunner, except that there is no mention of a fine having been paid by the burgesses.

At a Parliament held immediately after the date of the above instrument, for the purpose of confiscating the estates of the defeated Lancastrians, a special proviso was inserted in the Act, declaring that it should not be prejudicial to the Admiralty privileges conceded to Bristol (Rolls of Parliament).

For a definitive settlement of the boundaries of the Bristol jurisdiction, the Seneschal of the Earl of Warwick, Lord Admiral, held a court at Portishead on June 21st, 1462, when it was adjudged that the

following towns were within the liberties granted to Bristol :—Portishead, Portbury, Weston, Walton, Clevedon, Woodspring, Kingston Seymour, Worle, Kewstoke, Wick, Weston-super-Mare, Uphill, Bleadon, Highbridge, Breen, Lympsham, Berrow, Burnham, Huntspill, and Pawlett (Little Red Book, vol. i, 246).

No. 28.* THE PURVEYANCE GRIEVANCE, 1461.

On December 14th of the same year, King Edward granted a confirmation of the charter of 1396, forbidding the officers of the royal Household from holding Courts or otherwise interfering with the liberties of the burgesses of Bristol. The only significant feature of this patent is that it totally ignores the confirmatory charters of the three previous reigns. It is printed by Mr. Seyer.

No. 29.* GRANT OF ADDITIONAL LIBERTIES, 1461.

By another charter, of the same date as the above, King Edward, carefully ignoring the existence of his three predecessors, makes a somewhat exuberant profession of love towards Bristolians. "Know ye," runs the patent, "that we, for the laudable services of the burgesses of our town of Bristol, who heretofore have shown themselves grateful and willing in all

things to the most noble and renowned of recorded memory, our *ancestors*, late Kings of England, especially our beloved the now burgesses of the same town for late services done at their own expense, cost, labour, charges, and risk—not a little to their merit—contemplating and hoping that by our grant the same burgesses their heirs and successors may enjoy more amply the liberties and privileges that have been granted to them by so much the more force and effect from us and our heirs for bettering and making less the like expenses hereafter"; and then notifies the manner in which the King is desirous to "exert himself" for their welfare. In the first place he ordains that the Mayor and Sheriff, for the time being, may sit every day "in our Court" in the Guildhall, and decide all manner of personal pleas, causes and matters whatsoever arising within the town and suburbs, and brought by bill or plaint before them, with powers of attachment, distraint, and imprisonment. (This grant possibly means that "the King's Court of the Tolzey," reserved to the Crown by the charter of 1373, was now placed in the hands of the corporate officials.) Moreover, at the humble request of the Mayor and Commonalty, the King decrees that the ancient custom of the town, by which the wool, woollen cloth, and other heavy

merchandise of strangers were consigned to be weighed and sold at a certain place fixed by the Mayor—a custom which, through the negligence of certain officers, had for a short time past been broken, to the loss of the Crown and the disadvantage of the burgesses through deceptions and false practices—shall be again put in force, that all goods shall be weighed by the chamberlain, and that no stranger shall be permitted to sell his goods except at the place assigned by the Mayor and Commonalty. The charter next permits the town to hold a fair, to be held yearly, on June 20th, and nine following days, with all the free customs attaching to a fair. Finally, for the maintenance of the Walls, Quays, and pavement, the King empowers the Mayor and Commonalty to collect dues on all ships and boats bringing in merchandise, and also on such merchandise brought in for sale. (No powers are given to exact dues arriving by land. The toll on a ship with goods was fixed at 6d., on a ship with fish, 4d., on a boat 2d. The charges on goods were similar to those granted in previous charters. Unenumerated articles were to pay an *ad valorum* rate of one farthing for every five shillings' worth.) The patent was witnessed by the two Archbishops, the Chancellor, the King's "dearly beloved brothers," the Dukes of Clarence and Gloucester, and other dignitaries.

This charter escaped Mr. Seyer's researches, but is in the Council House. It does not appear to have been satisfactory to the Common Council. That body had, two years earlier, ordained that the goods of strangers should be displayed and sold only at Spicer's Hall on the Back, and without any reference being made to the above charter, that Ordinance was re-enacted in 1467. (See History of the Merchant Venturers, p. 16.) In other respects the charter was quite disregarded. No petition for its confirmation was made to later Sovereigns. It is not mentioned in the Mayor's Kalendar, or in either of the Red Books. There is no trace of any new Court, but this is explained if the conjecture offered above be well founded. The conceded fair does not appear to have been ever held. And, what is more significant still, the tolls on goods levied at the Town Gates continued to be collected for upwards of eighty years, as will be shown in a future page.

No. 30.* THE FEE FARM OF THE TOWN, 1462.

It has been already stated that the royal profits derived from Bristol were granted on lease to the Mayor and Commonalty by Henry the Sixth, for a term of 60 years, at the old fee-farm rent of £142 10s.

Only three years of this period had expired at the accession of Edward the Fourth, whose threats to ignore the financial grants of his predecessor created much anxiety, and the Common Council hastened to open negotiations with the new ruler, offering to surrender the lease, and praying for the royal favour. It is probable that a large sum was offered to promote the suit, for the Mayor's Kalendar states that the bargaining in London was conducted by the Mayor (Philip Mede), and it was always futile to go to Court with empty hands. The fact that William Canynges and other rich burgesses had aided the Yorkist cause may have also stirred the King to generous dealing. At all events, on February 12th, 1462, a charter was executed by which the royal estate in the town (the Castle excepted, as usual) was granted to the Mayor and Commonalty, not for a term of years, but "for ever." The conveyance, which may be read at length in Seyer's "Charters," included "our town of Bristol," with its Gates, Walls, and waste grounds, the Flesh Shambles, all manner of lands, tenements, rents and services, mills and water courses, local tolls, pleas of court, fairs and markets, fines, forfeitures, deodands, treasure trove, and every other prerogative whatsoever, excepting only escheats of land. In consideration of which, the grantees were required to make the

long accustomed yearly payments, which were as follows :—

	£	s	d
Rendered to the Royal Exchequer ..	102	15	6
To St. James's Priory for the mill ..	3	0	0
To Tewkesbury Abbey, ancient tenth	14	10	0
To officers of Kingswood and the Castle	39	14	6
	£160	0	0

The royal fee-farm was granted for life, in March, 1465, to the King's consort, Elizabeth Woodville, who was also allotted £60 per annum out of the fee-farm of the manor and hundred of Barton Regis.

No. 31.* THE WATER BAILIFF, 1471.

Notwithstanding the above charter of 1461, the appointment of Water Bailiff of the port remained with the King. On May 11th, 1471, the holder of that office, Richard Craford, who was also Yeoman of the Crown, surrendered the post for life to the Mayor and Sheriff, and their successors, in consideration of a yearly payment of £6 13s. 4d. (See the charter of 1499.)

ANOTHER ROYAL PARDON, 1471.

The brief restoration of Henry the Sixth, through the mysterious defection of the King Maker from the

Yorkist cause, brought trouble to some influential Bristolians. The Earl of Warwick had large estates in the adjoining counties, and there is reason to believe that some leading burgesses, and notably John Shipward, to be referred to presently, had extensive business relations with the great noble, and perhaps showed sympathy with his new policy. King Henry's reign finally ended with the Battle of Barnet on April 14th, 1471, and the conqueror lost no time in falling upon those who were suspected of having befriended the Lancastrians. Foreseeing the King's wrath, the incriminated Bristolians sought protection from "perjured Clarence," Edward's brother, who had already deserted his father-in-law, Warwick. Adopting the customary expedient in emergencies, the Common Council unanimously resolved to present the Duke with twelve pipes of wine "for his good lordship to be showed unto the King for his good grace"; and as the corporate purse was then empty, the £30 needed for the purchase were advanced by William Spencer "of his great kindness, gentleness, and faithful heart" (Great Red Book). Unhappily Mr. Spencer was one of the merchants whose conduct had aroused the King's suspicions. Nor was this the only unlucky incident of the time. Henry's consort, Queen Margaret, and her ill-fated son, landed at Weymouth

with some troops on the day of Barnet fight, and entered Bristol, with the intention of marching into Wales, about a fortnight later. Although many of the leading inhabitants were unquestionably Yorkists, and the town was well fortified, no attempt was made to shut out the Queen's army; and after her cause was annihilated at Tewkesbury, on May 4th, the obvious lethargy of the Bristolians must have further incensed King Edward. The interposition of Clarence was nevertheless successful. In a letter to his "trusty and well-beloved men of Bristol," written at Coventry on May 12th (and copied into the Little Red Book), his Majesty observed that their recent "demeaning" had not been seemly, yet as his brother had represented that their offences were committed by certain inhabitants, and not by the generality, he had resolved to punish only the principal stirrers of rebellion. It being notorious that certain persons had largely offended, especially Nicholas Hervy, recently slain, John Shipward (who was probably steward of the late King-maker's estates in Somerset), Robert Strange, John Cogan, William Spencer, William Hynde, John Sutton, and John Body, the loyal townsmen were commanded to arrest and imprison those men, and put all their property in the safe keeping of two royal officers. The Mayor was further ordered to send up

the names of any others "of like demeaning," under pain of the royal displeasure.

This stern missive must have been received with consternation by the Common Council. John Shipward, who had thrice served the office of Mayor, was probably then erecting that stately monument of his munificence, the tower of St. Stephen's Church, and was held in great consideration. Spencer had also been chief magistrate; and Cogan and Strange had each been Sheriff. The records are unfortunately silent as to the steps taken in this emergency, but it may be safely conjectured that money was freely lavished to appease the royal anger. In the case of John Shipward, the King's final resolution is recorded in the Little Red Book. In a formal mandate to the Mayor, dated September 5th of the same year, His Majesty announced that he had been graciously pleased to pardon all Shipward's offences, and commanded, upon the receipt of the writ, that he should be set at liberty, and all his lands, goods, jewels, and plate restored to him. That the other suspected members of the Common Council obtained similar lenity is proved by the fact that Cogan was elected Mayor in the following year, and Spencer in 1473 and 1478, while Strange attained the same dignity in 1474, 1482, and 1489.

In 1475 the King visited Bristol for the purpose of raising money by his newly invented device of a Benevolence, which possibly gave rise to the expression, "No compulsion, only you must." Either out of gratitude or of dread, the "noble prynce," says the Mayor's Kalendar, had "a grete benivolence of money gyven him." Malevolent partisans nevertheless continued to harass the pardoned Lancastrians. Shipward is stated in the corporate records to have died broken-hearted through the persecution of his son-in-law, Thomas Norton, a turbulent and dissolute officer of the royal household, who had tricked his younger brother out of the family mansion in St. Peter's churchyard, and who also brought a false charge of treason against Spencer, then an aged man, during his last mayoralty. (A scathing exposure of Norton's insolent conduct in the latter case was made by the Recorder, and will be found in the Great Red Book.) In the same year another informer trumped up a charge against Strange of coining money for the assistance of the Earl of Richmond (afterwards Henry the Seventh), and the worthy burgess was imprisoned in the Tower until his accuser's villainy was discovered, when the wretch was hanged and quartered.

No. 32.* CONFIRMATION CHARTER, 1484.

The demise of Edward the Fourth, and the murder of his unfortunate son, caused the Common Council to apply for a confirmatory charter from Richard the Third. The instrument, which is dated November 28th, 1484, and is of enormous length, recites Edward the Fourth's confirmation charter of 1461, and recapitulates the charters of Edward the Third, Richard the Second, and Henry the Sixth. This is another of the many charters in the Council House omitted in Mr. Seyer's collection.

No. 33.* (TEMPORARY) REDUCTION OF THE FEE FARM, 1485.

In October, 1484, Bristol and the neighbouring districts were devastated by a terrible hurricane and flood. Immense damage was done to the merchandise stored in the vast cellars of the town, and much local shipping perished. The distress was so great that a petition for relief was forwarded to the King, who, in alarm at the threatened invasion of Henry Tudor, hastened to win the sympathy of so important a town. On February 12th, 1485, Richard granted a charter, confirming his brother's concessions of 1462, and ordaining that, in consequence of the afflictions fallen on Bristol, and of its decay and poverty through ship-

wrecks, and other disasters, the fee-farm rent of £102 15s. 6d. should be reduced to £42 15s. 6d., the other payments remaining as before.

Mr. Seyer was unacquainted with this document, which cost the Corporation £85, but was in force only a few months.

No. 34.* "PARDON" OF THE TOWN, 1486.

On May 16th, 1486, when Henry the Seventh, then making a great "progress" through his newly-acquired realm, had reached Hereford, he issued a charter of "pardon" to the burgesses of Bristol for all the offences they had committed, or were alleged to have committed, against the rights of the Crown. Whether the appeal they had made for relief to Richard the Third, under the circumstances just recorded, did or did not form an item of their transgressions is a matter of conjecture. The simple fact was that Henry's "pardon" was intended to extort, and doubtless did extort, the same results as Edward the Fourth's "benevolence." The King, moreover, with his customary rapacity, refused to acknowledge the validity of the charter of the previous year, and the fee-farm rent was raised to the old standard.

Mr. Seyer knew nothing of this document, only a fragment of which remains in the Council House, a large portion having been torn off.

In the week following its execution, the King arrived in Bristol, where elaborate preparations had been made to do him honour. But it is somewhat significant that the compiler of the Mayor's Kalendar, who as Town Clerk probably took a prominent part in the corporate demonstrations, is as silent about the visit as he is about the "pardon," though he had emphatically recorded the repeated sojourns in the town of "that noble Prynce," Edward the Fourth.

PAVING ACT, 1487.

It may be safely assumed that, when Henry the Seventh traversed the streets of Bristol, the condition of the thoroughfares left much to be desired. Perhaps accepting a hint from the royal visitor, the Corporation addressed a petition to Parliament in the following year, praying for powers to repair shortcomings, and, as was customary in that age when a proposal was approved, the petition was converted into a statute. As the Act has not been printed by any local historian, or in the Statutes at Large, and as it is one of the earliest attempts at sanitary legislation in the national annals, a transcript of its leading provisions, recently taken by me from the Chancery Rolls in the Record Office, may fitly find a place in this work. (The text is produced in modern orthography.)

To the right wise and discreet Commons in this present Parliament assembled **Showeth** unto your great and discreet wisdoms the Mayor, Sheriff, Bailiffs, and Commonalty of the town of Bristol that **Where[as]** the same town is an ancient merchant town and port, [of] repute and taken in great fame and worship amongst other honourable cities and towns within the realm, to which town and port hath ever been, and daily is, great resort and coming, as well of merchant strangers and others of divers and many parts beyond the sea, as of men of worship and merchants of all parts of this realm of England. **And it is so** that the paving of the said town in the streets and suburbs of the same be so decayed, broken, and hollowed and pitted by water falling out of gutters, by riding and carriage, to great hurt and dis-ease of the King's liege people, and other strangers going riding or carrying in the said streets and suburbs, and also great uncleanness of the same. **Wherefore** for as much as the said Mayor, Sheriff, Bailiffs, and Commonalty have no authority, custom, or law to compel the inhabitants there, nor any person or persons having any messuage, tenement, grounds, or rent within the said town and suburbs to make or repair any pavement, or to be contributory to any cost or making of such pavement. **It may please** your great and discreet wisdoms, the premises

considered, to pray the King our Sovereign Lord to ordain, establish, and enact by the advice and counsel of the Lords spiritual and temporal, and the Commons in this present Parliament assembled and by the authority of the same,

That every person and persons now being seized or hereafter shall have fee simple, feetail, or time of life of or in any messuages, tenements, or grounds within any of the said streets of the said town, by reasonable premonition to them, or to the inhabitants or occupiers of the same, by the said Mayor, Sheriff and Bailiffs of the said town for the time being to be made, make or do to be made as oft as shall be needful hereafter sufficient pavement afore all their messuages, tenements, and grounds at their own proper costs and charges from the said messuages [&c.] as it extendeth to the midst of every of the said streets.

[Further clauses provide that if any owner, after having received premonition for a quarter of a year, shall not have obeyed it, the Mayor, Sheriff, and Bailiffs shall cause the said work to be done, and levy a distress for the amount expended on any of the defaulter's property, or on the goods and chattels of the occupier of the premises, the latter to be refunded any surplusage if the sale of his goods produces more than the corporate outlay. Provisions follow regarding

ground rents. It is enacted that every person entitled to any rent in fee or for term of life issuing out of any house or land within any of the streets, shall be contributable to the pavement before such property at a rate proportionable to the yearly value of the premises; and if it be necessary to recover the paving charges on such houses by distraint on the occupier, the latter shall retain the rent until the amount of the distraint be satisfied. Further, if the owner of the ground rent shall not pay his contribution within fifteen days after the reparation of the pavement, the tenant or occupier is empowered to pay the cost, and to retain the rent until he is compensated for the outlay. It is finally provided that if any property becomes ruinous and tenantless, whereby a distraint cannot be levied, the Mayor and Commonalty shall repair the pavement in front of it, and take possession of the estate until their outlay be recovered. The operation of the Act was limited to seven years.]

The Royal Assent is appended :—

Soit fait come il est desiré.

No. 35.* CHARTER OF CONFIRMATION, 1488.

By letters patent dated February 5th, 1488, Henry the Seventh, in the briefest possible terms, confirmed Edward the Fourth's two charters of 1461, concerning

the royal Purveyance officers and the Admiralty Court, which were of course recited at length. This charter is in the Council House, but is in a mutilated condition.

No. 35A. THE GREAT VOYAGE OF JOHN CABOT.

The City Treasurer has suggested that, as the Corporation recently obtained a photographic reproduction of King Henry the Seventh's patent to John Cabot, under which that great navigator, equipped by enterprising Bristol merchants with a Bristol ship and a Bristol crew, made his ever memorable discovery of the American Continent, some notice of the charter may be fitly included in this Calendar. The letters patent, dated March 5, 1495, were conceded to John Cabot and his sons, Lewis, Sebastian, and Sanctus, who were authorised to sail with five vessels, and to take possession in the King's name of any unknown heathen or infidel lands that they might discover; in consideration of which grant they were to render to the King, in goods or in money, one fifth part of the net profits and gains on every voyage on returning to Bristol—with which port alone they were to trade. Other persons presuming to traffic with the regions

so discovered, were to forfeit all their ships and merchandise.*

No. 36.* AN OLIGARCHIC REVOLUTION. RECONSTRUCTION OF THE CORPORATION, 1499.

A charter, the most important granted to Bristol since the Great Charter of 1373, was executed with some formality on December 17th, 1499. Addressing all ranks of his subjects, from Archbishops to "faithful men," Henry the Seventh announced that, out of the singular love which he bore to his town of Bristol, and desiring to increase the good of that community, he now granted to the Mayor and Commonalty and their successors, that there should be thenceforth for ever in the said town six Aldermen, of whom the Recorder was always to be one, while the others were to be elected by the Mayor and Common Council. After they had been chosen and sworn-in, the King empowered the new dignitaries to exercise the functions and jurisdictions possessed by the Aldermen of London. The Mayor and Aldermen were further authorised to

* The photographic reproduction is in the Bristol Room of the Art Gallery.

There were two grants of Letters Patent and two voyages. The first voyage was in the "Matthew," which is known to have sailed from the Port of Bristol. The second voyage, two years afterwards, was undertaken by a convoy of five vessels. To commemorate the historic voyage and discovery, a noble tower has been erected on the summit of Brandon Hill. It commands the river Avon, down which the adventurous voyagers sailed in their tiny craft.

depose and remove an alderman if they saw fit, and to elect a successor from the honest burgesses. Vacancies by death were to be filled in the same manner. The Aldermen were to be Justices of the Peace for the town, and to administer the laws concerning artificers, victuallers, vagabonds, heretics, coiners, and weights and measures. They were also to prevent townsmen accepting liveries (that is, becoming retainers of feudal lords), and to deal vigorously with treasons, felonies, misdemeanours, riots, conspiracies, forestallings, and the abuses of sheriffs and other officers. Offenders were to be tried before them under indictments, either at the suit of the Crown or of others; and fines and forfeitures imposed by them were to be received by the Mayor and Commonalty, and not by the Exchequer. No other justices were to act within the town. It was further ordained that a Chamberlain should be appointed by the Mayor and Common Council, who was to have a common seal, and exercise all the functions of the Chamberlain of London, receiving rents, disbursing money, keeping charters and bonds, and rendering accounts yearly. Bailiffs were to be elected according to ancient custom, and were thenceforth to act as Sheriffs, and exercise the functions of both offices. Vacancies by death or deposition were to be filled by the Mayor, Aldermen,

and burgesses. The election of a single Sheriff, as formerly, was to be discontinued. Cognizance of all pleas whatsoever was to be vested in the Mayor, who, with two aldermen, was to hear and adjudge, and their decisions were to be final. Further, the Mayor and two Aldermen were to choose forty of the better and honester men of the town, who were empowered with the Mayor and two aldermen, to make Ordinances, and apply remedies to defects as they might arise, and to levy taxes on rents and goods as they should see best to be done, the money so raised to be received and laid out by two Treasurers, to be chosen for that purpose. After the death of the existing Water Bailiff, that office was to be exercised by the Mayor and Commonalty, who might appoint a deputy and receive the profits on their paying yearly 53s. 4d. into the Exchequer. A Gaol Delivery was to be held annually by the Mayor and Aldermen without any license from the Crown, and they were to have the same powers as the royal justices, but the fines and forfeitures were to be rendered to the Exchequer.

This charter was regarded as of so much importance at Court that it was witnessed by Arthur, Prince of Wales, Henry Duke of York (the future Henry the Eighth, then eight years old), the Cardinal Primate and Chancellor, Morton, and all the great officers of

state. It is an astonishing example of legal prolixity and tautology, being of portentous length, and it doubtless involved the Corporation in a heavy outlay. Mr. Seyer has produced the text in extenso.

A careful examination of the charter will satisfy the reader that it was a further development of the policy by which the burgesses of Bristol were deprived of the Parliamentary suffrage in 1447; and that its main object was to convert, as it did convert, the municipal body into a close and self-elected oligarchy. For this purpose it ingeniously perverted various free institutions that had previously existed. The office of Alderman, for instance, was a well established dignity more than a century and a half before Henry the Seventh pretended to create it. In 1344, the Recorder, William de Colford, inserted in the Little Red Book, a codification of the ordinances and customs then "in use from old time," and this code was solemnly approved by the Mayor and "forty-eight discreet men, elected by common consent" in November of that year. Two of these laws (translated) read as follows:—

> "Also, it is ordained and agreed that no one be elected to the office of Alderman unless he have his own house and rent.
>
> Also, it is ordained and agreed that no one be

elected to the office of Mayor unless he shall have previously been Alderman."

It is certain that the Aldermen, who were five in number—one for each ancient ward, including Redcliff—were not elected by the "forty-eight discreet men" forming the Council, for the Council did not come into existence until after the Recorder had drawn up his code. Mr. Hunt, who has studied the subject carefully, asserts that "these Aldermen were elected by the commons of their respective wards, and discharged certain police duties" (History of Bristol, p. 87). If this be correct, and there is not a particle of evidence to controvert it, the ordinance requiring the Mayor to be selected out of the aldermanic body affords proof of the free institutions that were then enjoyed; whilst Henry's charter must have introduced a pure oligarchic clique under cover of an ancient title.

With regard to the Common Council, again, the Little Red Book states it was elected in 1344, "with the common consent" of the townsmen; and the Great Charter of 1373 ordained that it was to be chosen by the Mayor and Sheriff "with the assent of the Commonalty." But the charter before us commands that the Council shall be nominated by "the Mayor and two Aldermen," and by them alone, thus reducing the burgesses to impotence.

There was no novelty, as King Henry would have had men believe, in the appointment of a Chamberlain. Mr. Barrett states, though without giving his authority, that John de Cheddre was Chamberlain in 1306. In 1455 it was ordained that two Chamberlains should be elected annually (Great Red Book). The Chamberlain is casually mentioned as an ordinary official in one of the charters of December, 1461, and the names of three of these officers occur in manuscripts in the Council House of a date prior to 1499. The Chamberlain of London was elected, like the civic staff generally, by the citizens, and Bristolians rarely failed to imitate London customs. Henry the Seventh reserved the appointment to the oligarchy he had created.

Contrary to the King's instructions, the election of officers styled Bailiffs was soon discontinued, the title of Sheriff being alone assumed by those appointed to fulfil the double functions. The order to elect two Treasurers yearly was also disregarded.

No. 37.* CHARTER OF CONFIRMATION, 1510.

Soon after the accession of Henry the Eighth, the Corporation made the customary prayer for a confirmation of local privileges, and the appeal was responded to on May 10th, 1510. The charter,

another huge mass of parchment, reproduced all the verbiage of the instruments of 1488 and 1499, and curtly ratifies them.

PURCHASES FROM THE CROWN.

No. 38.* GAUNT'S HOSPITAL, ETC., 1541.

The commerce of Bristol greatly developed after the discovery of the great fishing grounds off Newfoundland, and the Corporation were so contented with the privileges in their possession that no further application was long made to the Crown. There may, indeed, have been another reason for the protracted inertia. Though Bristol historians seem to have been in strange ignorance on the subject, the civic authorities, in 1519, had the unpleasant task of reforming their Budget imposed upon them by Cardinal Wolsey, who had constrained them, through the Star Chamber, to abate the extortions they practised on the Sheriffs in the shape of local salaries, and outlays for ceremonies and public holidays. (For details of these extraordinary exactions, sent up to the Government by Sheriff Dale in 1518, see Mr. Bush's work on the Town Dues, p. 43.) But if dealings with the Government were eschewed as inexpedient whilst the great Cardinal was in power, a new era opened with the suppression of the Monasteries, and a desire soon arose

to secure some part of the spoils which the King was disposing of on very liberal terms. No record exists of the negotiations that took place, probably through Thomas Cromwell, the royal Vicar-General, on whom the Corporation had already bestowed, as a comfortable sinecure, the Recordership of Bristol. But the results are apparent in a charter, dated May 2nd, 1541.

By this instrument the King, in consideration of the "sincere affection" that he bore to the town—which meant little—and of the sum of £1000 paid by his "well beloved" Mayor and Commonalty,—which meant much,—granted to them the suppressed Hospital of St. Mark, otherwise the Gaunts, with its church and other buildings and lands in the town, its manors of Erdecote Gaunts and Lee in Gloucestershire, the manor and church of Stockland, and the church of Overstowey in Somerset, and the manor of Winterborne Gunner in Wilts, with all their appurtenant rents, services, and profits. His Majesty further conveyed the manor of Hamp, Somerset, late belonging to Athelney Abbey, two closes of land on St. Michael's Hill, Bristol, late the property of St. Mary Magdalene Priory, the House with part of the gardens of the dispossessed Grey Friars in Lewin's Mead, and the House and part of the gardens of the expelled

Carmelite Friars in St. Augustine's parish, including the Hooper's Hall, in the Friary precincts. The entire estate thus disposed of was to be held by service of one knight's fee, at a yearly quit rent of £20. The text of the conveyance is given in Mr. Bush's book on the Town Dues, p. 63.

From details given in one of the earliest Audit Books in the Council House—that for 1547–8—it appears that the yearly rentals of the estates thus acquired even then exceeded £266, or more than 25 per cent. on the purchase money. In 1836, the property at Stockland, Stowey, Earthcott, and Almondsbury was disposed of for upwards of £76,000.*

No. 39.* TEMPLE FEE AND LORD LISLE'S LANDS, 1544.

The above profitable investment doubtless encouraged the Corporation to solicit the King for a grant of two other local estates, then at his disposal, namely, the little manor or Fee of Temple, long held by the dissolved Hospital of St. John of Jerusalem; and the Bristol estate known as Lord Lisle's Lands, which had been acquired by the marriage, about a century earlier, of a Viscount Lisle with the heiress of

* The purchase was accompanied by the obligation to pay annuities to the dispossessed Master and Brethren, and by the responsibility of maintaining in perpetuity the services of the Chapel.

the wealthy Bristol family of Chedder, but had more recently been sold to Henry the Eighth. An offer of £789 17s. 10d., at which the two properties were valued, having been made to His Majesty, the King, on July 9th, 1544, in consideration of the payment of that amount, conveyed them in fee to the Mayor and Commonalty. The profits of the fee consisted chiefly of ground rents, issuing out of land and houses in the parish of Temple, and lands at Portbury and West Weston (Weston-super-Mare). They are set out in great detail, but the total amount was only £14 8s. 10d. The grant, however, included the advowson of Temple parish, and the reversion of Temple Meads, the site of the present Railway Station, then held by a lessee. The charter next conveyed certain "waste ground on Bristol Bridge," formerly belonging to Witham Priory; and finally the Lisle estate, consisting of rents and quit rents of a great number of houses scattered all over the town, some in the principal streets, and others on St. Michael's Hill, Monk Bridge (Bridewell Street), Bristol Bridge, and the Quay, Back, and Shambles; together with upwards of twenty acres of gardens, etc., but the total yearly value of the estate was only £57 6s. 4d. The entire property was to be held by the Corporation by the service of one fortieth of a Knight's fee in other words, on payment of a few shillings.

FREEDOM OF THE TOWN GATES, 1546–7.

Although the subject about to be briefly dealt with has no connexion with royal charters, it throws some light upon the manner by which the Common Council was enabled to raise part of the large sums paid to the Crown for the grants just recited, whilst it also shows the way in which a public burden introduced by royal permission was eventually abolished. At the period under review, the inhabitants were extremely hostile to the tolls levied at the Town Gates on food and goods brought into the borough, and their discontent sometimes exploded in riotous demonstrations. In 1546 some sagacious burgess threw out a suggestion which was received with general applause. The Corporation was in serious financial embarrassment. The parish churches on the other hand possessed an almost incredible store of gilt and silver plate in the shape of processional crosses, monstrances, candelabra, chalices, and many other articles used in the services at the numerous altars in each church ; and, after the stupendous confiscations of similar treasures that had then recently taken place at Canterbury, York, Durham and the monasteries generally, it seemed only too probable that rich parochial fabrics would not long escape similar spoliation. It was therefore proposed that the local vestries should make a liberal donation

of plate to the Corporation for relieving it from part of its debts, on condition that the Common Council should abolish the obnoxious tolls at the Town Gates and also the dues levied at the Quays on victuals arriving by water. After due deliberation, the plan was approved by both parties concerned. Plate to the value of £523 10s. 8d. was presented by fourteen of the Vestries, who appear to have surrendered about one fourth of their treasures (taking bonds from the Corporation to be saved harmless if the Government came down upon them), and the Common Council abolished the tolls and dues, undertaking to compensate the Sheriffs for the loss of this source of their income by a fixed payment of about £48 per annum. (Two lengthy corporate Ordinances on the subject were inserted by Mr. Bush in his work on the Town Dues, pp. 58, 60.)

The citizens had soon reason to be thankful at the completion of this arrangement. In 1553 a Royal Commission was issued to a number of men charged with the task of seizing all the parochial plate throughout the kingdom. About 5,000 ounces appear to have been swept out of Bristol, together with many of the great bells of the churches, and most of the lead roofing of the Cathedral.

BRISTOL CREATED A CITY, 1542.

On June 1st, 1542, Henry the Eighth, by voluminous letters patent, created the Bishopric of Bristol, endowing it with most of the estates of the suppressed Abbey of St. Augustine. The Charter is printed verbatim in Rymer's "Fœdera." Probably to save time, for the royal scribes were almost overwhelmed with the task of legally distributing the gigantic monastic possessions amongst the crowd of purchasers, a separate Charter, elevating Bristol to the rank of a city, was rendered unnecessary by the insertion of a clause in the episcopal patent, which translated reads as follows :—

"And we will and decree by these presents that now, and henceforth for ever, our town of Bristol shall be called our **City of Bristol**, and that our county of the town of Bristol shall be styled our **County of the City of Bristol** in perpetuity."

As the Corporation possessed no copy of this Charter, it was, on at least one occasion, put to considerable trouble and expense before it could prevail on certain royal officials to recognise the right of Bristol to its more dignified title.

CHARTER OF CONFIRMATION, 1547.

On July 12th, 1547, a few months after his accession, Edward the Sixth granted to his "beloved," the Mayor and Commonalty of Bristol, a confirmation of his father's patent of 1510. The parchment is not in the Council House, but Mr. Seyer, in his "Charters," has given the uninteresting text from the Charter of 1559.

[No. 40*—1548, refers to the seizure of the Chantry connected with the Chapel of the Assumption on the demolished Bristol Bridge. The whole subject is dealt with at page 95 of this calendar.]

No. 41.* CONFIRMATION CHARTER, 1559.

It is not improbable that a charter of confirmation was obtained from Queen Mary, but if such was the case, it has perished, like her brother's. On March 1st, in the first year of her reign, Queen Elizabeth issued letters patent confirming the grant of Edward the Sixth, which is recited *literatim.*

MERCANTILE MONOPOLY.

ACTS OF PARLIAMENT, 1566–71.

In December, 1552, Edward the Sixth granted a charter upon the "lamentable petition" of the

Merchant Venturers of Bristol, praying for the recuperation of their trade, depressed by interloping and inexperienced competitors, by which he constituted them a body corporate, with perpetual succession, and ordained that no inhabitant of the city should thenceforth traffic in merchandise before becoming a member of the new Society or serving an apprenticeship of seven years to a resident merchant. The prohibition, being unaccompanied with penalties for its infraction, having proved nugatory, a charter of confirmation was obtained from Queen Elizabeth in 1566, and application was next made to Parliament for statutory powers to enforce the royal provisions. The Act, passed in the same year, ordained that any Bristolian, except those included in the above conditions, who should thereafter traffic oversea, should forfeit all the goods he either imported or exported. The monopoly thus established excited great discontent amongst a numerous body of traders and craftsmen, who were accustomed to make small foreign adventures, as well as amongst the workmen employed by them. What was of still greater consequence, the Common Council, which for centuries had been dominated by the mercantile interest, revolted against it, and sympathised with the agitation of the burgesses. Parliament did not assemble again

for five years, the experiences of which were not calculated to lessen popular discontent, and on a writ being received for the election of new knights of the shire in the spring of 1571, the city was much excited by a vehement struggle for the seats. The polling resulted in the return of the Recorder, John Popham (afterwards Speaker and Lord Chief Justice), who a century earlier would have been held disqualified through non-residence, but who was now the nominee of the open trade party and of the majority of the Corporation. His colleague was Philip Langley, merchant. This defeat of the Merchant Venturers was followed up by an appeal (now in the Record Office) from the Common Council to the Queen's chief Minister, Lord Burghley, for a repeal of the obnoxious Act, which was declared to be injurious to the commerce of the port; and, probably with Burghley's approval, a Bill to abolish the monopoly was read a second time at the sixth sitting of the House of Commons, "many and sundry long arguments" having been advanced both for and against it. By the exertions of the merchants, the then unusual course was taken of referring the Bill to a select committee,* but it was

* One of the members of this committee was John Young, called by a contemporary "Mr. Young of Bristol," who during the debates in the House had denounced "the subtle means" by which the Act of 1566 had been obtained without the consent of the citizens. He was M.P. for Old Sarum,

returned by this tribunal merely "corrected in form, but not in substance," and, "after many arguments," it passed the House on April 25th (Commons Journals). On May 19th it received a final reading in the Upper Chamber, and in due course obtained the Royal Assent.

As the Act is not alluded to by the old chroniclers, was totally unknown to Barrett, Seyer, and other historians, and is not to be found in the Statutes at Large (which give merely its title, "An Act for Bristow") while no copy of it is known to exist in any public or private collection of Bristol manuscripts, it may be well to subjoin its enacting provisions (in modern spelling) from the copy made by me last year from the Chancery Rolls :—

"**Forasmuch** as the like Corporation of general exemption hath not anywhere been found to be suffered long to continue, though in some place attempted and nevertheless upon the experience thereof given over again, and for that also the experience thereof hath taught that no manner of benefit or commodity appeareth to grow by the said Art [Act] to the common weal, or otherwise to the universal

There can be little doubt that he is identical with the John Young, a large landowner in Wilts and Dorset, who built the "Great House at St. Augustine's" (on the site of Colston Hall), and who was knighted in 1574 by Queen Elizabeth during her sojourn in his mansion. Young was a descendant of William Canynge's half-brother.

state of the said city of Bristol, according to the supposal of the said act, but contrarywise wellknown and found out that since the making of the said Act the prices of all manner of merchandise have been and yet are much enhanced, the queen's customs as is supposed decreased, the wealth of the city very much consumed, and the Navy thereof as is also suggested partly decayed, for that a great many of wealthy inhabitants and citizens of the said city which before that time occupied great stocks were thereby cut off from the trade of the seas. And thereof followeth that the poor craftsmen are not wrought as they might be, to the great ruin and decay of all the said city and of the inhabitants of the same, and to the great damage of the country environing the same if speedy remedy be not in that behalf provided, and the wonted liberty of the said citizens thereof to traffic for merchandise beyond the seas fully restored. Be it therefore enacted by the Queen's most excellent Majesty, the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled, and by the authority of the same. That the said Act be from henceforth wholly repealed and utterly made frustrate, void and of none effect to all Intents and purposes."

Many efforts were made by the Merchants' Society during the seventeenth century to procure the restora-

tion by Parliament of its lost privileges; and the Corporation, again become submissive to mercantile influences, zealously supported each attempt. But these exertions were invariably fruitless, and were at length abandoned in despair.

No. 42.* LICENSE IN MORTMAIN, 1569.

A license permitting the Mayor and Commonalty to acquire and hold in mortmain real property to the value of £120 was granted by Queen Elizabeth on May 21st, 1569. As in a case already cited, the license was probably applied for in consequence of the receipt of a gift or bequest for public or charitable purposes.

No. 43.* GRANT OF ADDITIONAL ALDERMEN, 1581.

On July 28th, 1581, Queen Elizabeth complied with a petition of the Common Council by granting a charter empowering that body to increase the number of Aldermen from six to twelve. The clauses of the charter of 1499 defining the manner in which Aldermen were to be elected, their duties and their privileges, were reproduced with all the original verbosity; but those relating to the offices of bailiffs, sheriffs, chamberlain and treasurers are omitted, doubtless for the reasons already indicated in the summary of Henry the Seventh's patent.

No. 44.* THE "DUTCH" HOUSE, HIGH STREET, 1586.

Why the legal conveyance about to be described was deposited amongst the city charters is a mystery, but as it corrects some inaccurate statements in published memoirs of the founder of the Red Maids' Hospital, and as the chief property it refers to was recently purchased by the Corporation, its purport may be briefly noted :—

27th May, 28th Elizabeth (1586). Ann, widow of Alderman Robert Saxey, to her daughter Bridget and her husband, John Whitson. Conveyance in fee of a house at the corner of Wine and High Streets, and other messuages, in consideration of a life annuity to grantor of £26 per annum.*

(Mrs. Whitson had been twice married before this union. Whitson had been bound apprentice for eight years to her second husband, Alderman Cutt, and herself, when she was a very young woman. Whitson was probably her junior in age by about seven years.)

No. 45.* QUEEN ELIZABETH'S HOSPITAL, 1594.

The following instrument is also preserved amongst the charters, but with more apparent reason.

* This conveyance has now been transferred to the general collection of deeds in the Council House.

11th April, 36th Elizabeth, (1594). Deed poll of Michael Pepwell, Mayor, the Recorder, and nine Aldermen; reciting the provisions in the will of John Carr, for founding a hospital for the maintenance and education of poor boys when the Corporation had provided a house for that purpose, and the subsequent steps taken for establishing Queen Elizabeth's Hospital. Declaration thereupon that the Mayor and Aldermen now conveyed to that hospital all the great capital messuage or mansion-house, late the house of St. Mark of Bileswick, *alias* the Gaunts with all its appurtenances for the use of the said Hospital for ever.

ACT OF PARLIAMENT, 1597.

Owing to another large bequest to the above Hospital, an Act of Parliament was obtained in 1597, relieving the charity estates from the penalties of the mortmain statutes. The opportunity was taken to procure Parliamentary powers to strengthen the hands of the Mayor in the exercise of his functions as Guardian of Orphans, conferred on him by the charter of 1331. As the hospital is now governed by the Charity Trustees, whilst the guardianship of children fell into disuse 250 years ago, it seems needless to deal with either subject at greater length. It may be noted,

however, that in the preamble of the Act there is a recital that, for the purpose of recovering debts in the city, it was customary to hold a court called the Staple Court, from which it may be presumed that the corporate petition sought for a confirmation of the privilege, and that the clause for that purpose was disapproved.

CHARTER OF CONFIRMATION, 1604.

On the application of the Common Council, James the First, on July 12th, 1604, confirmed Elizabeth's charters of 1559 and 1581, in terms more than customarily bold. The document has perished, but Mr. Seyer reproduced the text in his "Charters" from a copy of the charter of 1664.

No. 46.* ADMIRALTY RIGHTS, 1605.

On May 31st, 1605, a royal precept was issued to the Mayor, Aldermen, and several members of the Common Council. After setting forth the land and water boundaries of the city from the charter of 1373, and reciting the Admiralty Charter of Edward the Fourth, the persons named in the writ were constituted Commissioners, and directed to make a perambulation of the boundaries, with a view to define the Admiralty jurisdiction of the city. The Commission

had doubtless been applied for with a view to resist the encroachments of the Lord Admiral, which were a frequent source of trouble during this and the following reign.

No. 47.* THE MARSH (QUEEN'S SQUARE, ETC.), 1609-14.

Two more documents have been irregularly deposited amongst the Charters. The earliest in date shows that one John Fownes, by a will dated in 1609, bequeathed 100 marks to the Corporation, which he directed to be laid out in the purchase of land yielding £4 yearly, which rent was to be paid to two labourers for keeping in order the Marsh, then a popular place of recreation, and the walks about it. The bequest being invalid unless a license in mortmain were obtained, which say the records, "would be very costly," the Corporation covenanted with Fownes's widow in 1614 to charge two large houses overlooking the Froom (on the site of the present Prince's Street) with the sum of £4 per annum, and to pay that sum to two labourers. One of the houses in question was afterwards occupied by John Romsey, Town Clerk, who entertained Chief Justice Jeffries there, during the "Bloody Assize."

No. 48.* THE QUAYS, WALLS, BRIDGES, &c., 1620.

On May 31st, 1620, King James, stating that he acted in consideration of the great labour and expense incurred by the Mayor and Commonalty, in maintaining the quays of the port, the walls of the city, the bridges and the highways, granted them a license to hold in mortmain real property to the value of £500 towards reducing such expenditure. The sum named was probably a gift or bequest.

CHARTER OF CONFIRMATION, 1626.

On the accession of Charles the First, the Common Council applied for, and obtained, a confirmation of King James's charter of 1604. The document has not been preserved, but the text, which is as laconic as that of the preceding instrument, is reproduced by Mr. Seyer from the charter of 1664. The cost of these confirmatory grants was generally about £130.

No. 49.* CHARITY COMMISSION, 1628.

On July 10th, 1628, Charles the First issued a Commission directed to the Mayor and the Bishop of Bristol for the time being, the Recorder, John Whitson, and other citizens; but all save the first few lines of the mandate, now in the Council House,

is illegible. A possibly contemporary endorsement reads :—"An inquisition taken in the 4th year of Charles the First of all benefactions in this city." That such an inquiry took place is known from other sources, but it is very remarkable that there is no record of its results. A paragraph suggestive of a gross abuse discovered in St. John's parish will be found in Mr. Barrett's History, p. 487.

No. 50.* ABSORPTION OF THE CASTLE, 1629.

Bristol Castle had fallen in ruins before the accession of Henry the Seventh; but the office of Constable, which became a petty sinecure, was maintained by the Crown for the purpose of gratifying a succession of needy Court underlings. In the meanwhile, the precincts of the fortress, which the civic officials were forbidden to enter, became a sanctuary for malefactors and vagabonds, similar to the famous Alsatia in London; and a strong desire naturally arose in the Corporation to obtain jurisdiction over the royal property. Some compliments opportunely paid to Queen Henrietta by "her Chamber" seem to have facilitated this object. On April 13th, 1629, King Charles granted a Charter, reciting that the Castle and its precincts, being part of the royal demesnes within the county of Gloucester, and exempt from local supervision, had become a

refuge for thieves, vagrants, and able-bodied men capable of service in war. Being wishful to apply a suitable remedy, and also at the request of the Queen, His Majesty ordained that the Castle and its liberties should be separated for ever from Gloucestershire, and be made part of the city and county of Bristol, of which the honest inhabitants of the precincts were to be accepted and reputed as citizens.

This Charter cost the Corporation about £250.

No. 51.* PURCHASE OF THE CASTLE, 1630.

The above grant did not fully satisfy the aspirations of the Common Council. Further negotiations were opened soon afterwards, and on October 26th, 1630, in consideration of a payment of £959, King Charles granted to the Mayor and Commonalty the "Tower" (Norman Keep) of the Castle, the mansion house—once the stately royal apartments, of which a fragment still remains—the scattered tenements (including the ruins of a church), the King's Orchard, the Lower Green, the walls and ditches of the fortress; in short, every portion of the royal estate. The voluminous details are given in full in Seyer's "Charters." The conveyance was subject to a lease, granted in 1626 to one Francis Brewster, at a rent of £100 per annum; but the rent and reversions were vested in

the Corporation, who were to hold the whole in free soccage, paying a yearly quit rent of £40.

In addition to the purchase money paid down, the Corporation had to spend about £250 in "gratifying" friends at Court, and feeing legal harpies. In 1634, Brewster's outstanding interest was acquired for £530.

No. 52.* ADMIRALTY RIGHTS, 1638.

In despite of the city's Admiralty privileges, the Corporation continued to be harassed by the illegal interference in local shipping cases of the Court of Admiralty, and by the rapacity of the Lord Admiral. In consequence of a renewal of these grievances, the Common Council appealed to the King, who, on June 9th, 1638, granted a charter confirming the rights conceded by preceding monarchs. This instrument was overlooked by Mr. Seyer.

No. 52A.* ANOTHER ROYAL PARDON, 1644.

The capture of Bristol by Prince Rupert in July, 1643, was followed by the sacking of the houses of many "Roundhead" citizens, numbers of whom were consigned to prison. Dreading further severities, the Common Council hastened to propitiate the King by offering him a gift of no less than £10,000, the same amount being also presented to Prince Rupert. Peti-

tion was also made for a general amnesty as regarded the events that had occurred since the outbreak of the Civil War. The King refused to respond until the enormous tribute had been fully paid up, though large additional sums were spent in "gratifying" his courtiers. At length, on February 24th, 1644, His Majesty issued letters patent, granting a general pardon to the Corporation and to the inhabitants for all "wars, rebellions, insurrections, conspiracies," and other treasonable offences whilst the city was in the hands of his enemies. Eighteen persons, headed by Fiennes, the Puritan ex-Governor, and including all the members of the Council of War concerned in the "murder" of Robert Yeamans and George Bowcher, were excluded by name from the benefit of the Pardon. The instrument, which cost the Corporation nearly £200 in money and wine, is not in Mr. Seyer's collection.

No. 53.* OLIVER CROMWELL, 1651.

Preserved amongst the Charters is a document signed by Oliver Cromwell, "Captain-General of the Parliamentary Forces, and Keeper of the Rolls in Monmouthshire," by which William Herbert is appointed Clerk of the Peace for that county. It doubtless owes its position to the autograph attached to it.*

* This document is now in the manuscript case of the Art Gallery.

FEE FARM OF THE CITY AND CASTLE, 1651–60–70.

In February, 1651, Commissioners appointed by Parliament to dispose of old Crown Rents conveyed to Alderman Richard Vickris, of Bristol, for £1260, the rent of £142 10s., payable by the Corporation for the fee-farm of the town, as well as the charge of 53s. 4d. on the office of Water Bailiff, created by the charter of 1499; and a few curious old quit rents varying from nine shillings to a halfpenny that had been paid for several centuries to the Exchequer as issuing from ancient tenements. At the same time, Oliver Wallis, of Bristol, purchased the fee farm rent of £40 due for the Castle, while the Corporation bought, for £577, some fee farm burdens on the charity estates of the city, amounting to £67 per annum.

At the Restoration the Common Council, in some precipitation, resolved to present the last-named rents to Charles the Second, in testimony of its loyalty, and thereby escaped the fate of Vickris and Wallis, whose purchases were summarily confiscated by the Crown.

In 1671, the Government, being in dire pecuniary distress, procured an Act of Parliament authorising the alienation of a multitude of Crown Rents; and in July, 1672, the Common Council, on payment of

£2989, obtained a conveyance of the fee farms of the town and Castle, subject to the life interest of Catherine, the King's Consort, to whom they had been granted in dowry, together with other rents issuing out of the estates of Gaunt's Hospital, the City School, etc., amounting altogether to £112 per annum. The purchase was profitable, only eight years' purchase being demanded for the Queen's fee farms, and about twice that rate for the remainder.

The above facts have been chiefly gleaned from documents in the Record Office.

No. 54.* WOOLLEN DRAPERS COMPANY, 1654.

It is strange that in a town long famous as a clothing centre, one of the latest of the trades incorporated into a Company should have been that of the woollen drapers. The Company was established on January 19th, 1654, by an Ordinance of the Common Council, which laid down rules for its governance.

No. 55.* CONFIRMATION OF CHARTERS, 1664.

On April 22nd, 1664, Charles the Second executed a charter confirming the instruments granted by his father in 1626, 1629, and 1630. He further ordained, with no kindly intentions towards Nonconformists, that every Mayor and other member of the Common

Council should, before assuming office, take the newly enacted oaths of obedience and supremacy. Though the instrument was of the simplest character, the Town Clerk spent £450 at Court before obtaining it, and Sir John Knight, M.P., was repaid £426 more.

SURRENDER OF THE CITY CHARTERS, 1683.

The action of the Government, taken with the object of destroying free municipal institutions throughout the kingdom, and bringing Corporations under the complete control of the Crown, is dealt with in the national histories. The royal attack was first directed against London, which was unable to resist the tactics employed, whereupon a writ of Quo Warranto was forthwith addressed to the Corporation of Bristol, in which it was alleged that they had, by their irregularities, forfeited their privileges, and they were called upon to show why they should not be dissolved. (A copy of the writ will be found in Seyer's "Charters.") It may be observed that the ruling party in the Common Council, at first actuated by malice against Dissenters, but afterwards through secret complicity with the Court, had systematically violated the instructions of the more important city charters by electing a number of Common Councillors largely in excess of the limits prescribed by the royal

grants; and this deliberate illegality furnished the only ground of the prosecution. No legal defence being practicable, and the self-styled "Loyal" party being clamorous for submission, the Common Council, on November 9th, 1683, ordered the corporate seal to be appended to a formal document—printed by Mr. Seyer—confessing that their fault had justly offended the King, and humbly surrendering all their franchises and liberties, but beseeching His Majesty to regrant such privileges as, in his wisdom, might be conducive to the better government of the city. Having won a complete victory, the Government, after keeping the city in its own hands for six months, produced a

No. 56.* CHARTER OF REORGANISATION, June 2, 1684,

which removed all doubts, if any existed, as to the intentions of its authors. The instrument is of great ength, but as its validity came to an end about four years after its execution, it is needless to enter into lengthy details. The King began by constituting an incorporation by the name of the Mayor, Burgesses, and Commonalty, and then nominated all its members —the Mayor, Recorder, the other eleven Aldermen, the Sheriffs, the Common Councillors, and the Town Clerk. All the aldermen, and sixteen of the old

councilmen, who had promoted the surrender of the previous year, were rewarded by being reinstated. Nineteen Councillors who had opposed the "Loyal" submission, were displaced, and the vacant seats were filled with trustworthy "King's friends." The nominees were to hold office for life, but power was reserved to the Crown to dismiss any of them at its good pleasure. The new body was to possess all the powers exercised by its predecessor, but its ordinances were not to take effect until they were confirmed by the Lord Chancellor. The elections of future Recorders and Town Clerks were to be subject to royal approval. The King also nominated the Steward (Judge) of the Tolzey Court, and the Coroners, and future elections were to be confirmed by him. Any one refusing to enter the Council, after being duly elected and approved, might be fined £500, unless he should swear that he was not worth £2000. The only new privilege conceded was a power to hold five horse fairs yearly, which was apparently not exercised. Finally, the Duke of Beaufort, who had zealously supported the policy of the "Loyal" party, and a few other persons, were appointed to instal the royal nominees, and the ceremony took place on July 10th, when the new Corporation came into being.

THE NEW CHARTER QUASHED, 1688.

Although the Common Council had been exclusively selected from men professing obsequious devotion to the royal will, James the Second, on January 13th, 1688, exercising the power reserved in the above charter, unceremoniously dismissed the Mayor, Sheriffs, six of the Aldermen, eighteen Common Councilmen, and the Town Clerk; and on the following day nominated their successors. Another "purge," dealing with an Alderman and five Councillors took place in March, the King supplying the vacancies, as before.

But a royal mandate arrived in October, intimating that the surrender of the old charters in 1683 had never been enrolled, and therefore in law had never taken place. Wherefore, to quote this remarkable document, the King was pleased to order that all the corporate dignitaries and officials elected after the date of the apparent surrender should be forthwith displaced, and the previous members reinstated—thus nullifying the charter of 1684. The old charters were soon afterwards restored.

The charter of 1684 was subsequently treated with so much disrespect that it was actually lost. The parchment copy now in the Council House is an "Exemplification," under letters patent, obtained for some inscrutable purpose from George the Third, and dated July 7th, 1793.

ACTS FOR REBUILDING THE GAOL, 1689, &c.

The condition of the old gaol at Newgate having become deplorable, the Common Council, in 1689, promoted a Bill in Parliament empowering them to erect a new prison at the east end of Narrow Wine Street, and to levy a rate for that purpose upon the inhabitants. The outlay on the building was about £1,600. Its accommodation seems from the outset to have been inadequate for the demands upon it, and a shocking account of the premises, and also of the Bridewell (which was rebuilt in 1722 at a cost of £1,053) was made by the celebrated Howard in 1774. The most remarkable proof of sordid management, however, occurs in a report made to the Common Council in August, 1792, in which it was stated that the average annual expenditure on the gaol (including food for the prisoners) during the previous 103 years had been only £93. An Act was obtained in 1792 empowering the Corporation to remove the prison to another site, but it was never acted upon, and the condition of the building was frequently described as appalling during the next quarter of a century. At length, in 1816, a Bill authorising the construction of a new gaol at an estimated cost of £60,000, to be defrayed by rates, received the Royal Assent; and an extensive structure, fronting the "New Cut," was opened in 1820. So early

as 1835 the Municipal Corporation Commissioners stated in their report on this city that the sanitary state of the prison was so unsatisfactory that the average yearly percentage of mortality in it was higher than had been recorded in the old gaol. At a later period the Government made repeated and emphatic remonstrances on the subject, and in 1873 the Council purchased a large site at Horfield for £3,875, and advertised for estimates for a new prison. Further progress was, however, delayed owing to an abnormal rise in prices and wages, and nothing was done until 1877, when an Act was passed for transferring all the English gaols into the hands of the Government, thus saving the Council an expenditure of upwards of £100,000 on the intended building, and a yearly outlay for management of about £4,500. The old House of Correction in Bridewell Street was, of course, included in this arrangement.

PAVING, LIGHTING, AND SCAVENGING ACTS, 1700, &c.

In the Parliamentary Session of 1700 the Common Council promoted a Bill "for cleansing, paving, and enlightening the streets" of the city, and the measure received the Royal Assent. Although produced under corporate auspices, the improvements indicated by

the Act were to be effected solely at the expense of the burgesses. The statute required householders to cleanse the thoroughfares adjoining their dwellings twice a week, and to maintain a scavenger to remove the refuse. As regarded paving, occupiers were to pitch or pave one half of the streets fronting their premises, but tenants were empowered to deduct the outlay from their rent. And, as concerned lighting, it was enacted that every householder contributing twopence or more weekly as poor rate should, from Michaelmas to Lady Day, set out a candle in a lantern, nightly from dusk to midnight, on pain of forfeiting two shillings for each default. Any lighting provisions for the six summer months were regarded as entailing a useless waste of money. The Act further empowered the Common Council to levy fines on glass-makers and others for throwing refuse into the two rivers, which, says the preamble of the statute, were the receptacles of most of the ashes and filth of the city. The primitive arrangements came into operation on January 1st, 1701, and continued in force for nearly fifty years. During this period some of the parishes made bargains with the authorities, under which each parishioner's duty to hang out a candle was escaped in the churchwarden's contracting to supply a fixed number of lights. The extensive

parish of St. Stephen under this system maintained twelve lanterns, two of which were in Queen's Square, and two on the Quays.

In 1749 the Corporation, whilst still declining to assume any financial responsibility in sanitary affairs, obtained an Act for amending the system then in force. The new statute enacted that the Mayor and Aldermen should settle the number of glass lamps proper to be placed in each street, which lamps were to be kept lighted from sunset to sunrise from the 20th July to the 30th April yearly, and to be set up and maintained by the parochial authorities, the outlay to be defrayed by a rate on the occupiers of premises of the yearly value of £7 and upwards. Churches and other public buildings (hospitals and almshouses excepted) were to contribute to the rate, the proceeds of which were to be received and expended by the Surveyors of highways. (The total number of lamps erected in 1750 was 560.)

As regarded paving, the regulations of the previous Act were confirmed; but in the case of any street or lane exceeding the width of 30 feet, it was enacted that the frontagers should pave only to the width of 20 feet, and that the remainder should be repaired by means of a rate levied on the parish in which the roadway was situated. The Surveyors of highways were to superintend all the reparations.

Other provisions required the removal of projecting shop signboards found to obscure the lamps, and the construction of spouts on every house from which rain-water fell into the streets. Town wagons and carts were not to be drawn by more than three horses, and the iron banding of their wheels was not to be less than six inches in breadth. Further clauses regulated hackney coaches, and fixed the hours of holding the open markets in Broad Street, Wine Street, and High Street.

In a Streets Improvement Act passed in 1766, which will be further noticed presently, were clauses requiring the public lamps to be lighted throughout the year, improving the system of pavage and scavenging, and empowering the Surveyors of highways to construct sewers, the outlay whereon was to be defrayed by rates, which, in the case of unoccupied houses were to be levied on the owners.

No. 57.* CHARTER OF QUEEN ANNE, 1710.

During the fierce political contentions of Queen Anne's reign a number of upper-class citizens declined to accept seats in the Council Chamber, and, as the Corporation did not venture to sue for the fines imposed on recusants by the charter of 1684, a petition was addressed to the Crown for a valid remedy.

Accordingly, on July 24th, 1710, a charter was granted whereby the Queen, "graciously affecting the improvement of our city of Bristol and the county of the same," confirmed the established boundaries and corporate institutions, and approved the elections of all the existing members of the Common Council, who were severally named. There being then seven vacant seats in the Chamber, the Council was empowered to fill them. And for the better execution of the royal will, the members were directed without delay to impose reasonable fines on persons refusing to accept office after being duly elected. [The fines fixed by the Common Council in the following month were: For refusing the Mayoralty, £400; the Shrievalty, £300; and the office of Councillor, £200.] Vacant Aldermanships were to be filled by the Mayor and Aldermen; other vacancies by the Council. Any previous irregularities in taking the oaths were condoned. Finally, the Queen, strangely referring to the charter of 1684 as if it were a valid instrument, surrendered the right it reserved to the Crown of nullifying the elections of Mayor and other dignitaries, and of displacing members of the Council. The patent, which is printed *in extenso* in Mr. Seyer's "Charters," concluded with a general confirmation of liberties and privileges.

THE EXCHANGE ACT, 1722.

Many complaints of the mercantile community respecting the want of accommodation for the transaction of business having been addressed to the Common Council, that body, after deliberating for five years, obtained an Act of Parliament in 1722 empowering them to erect an Exchange on the model of that in London. Probably from a deficiency of funds the project was long delayed, and merchants and traders continued to meet in the open street opposite the Tolzey, to their sore discomfort in inclement weather. At length the foundation stone of the intended building was laid in March, 1741, and the structure, designed by John Wood, of Bath, was opened amidst much rejoicing on September 21st, 1743. The Exchange cost nearly £50,000, towards which the Merchants' Society contributed £2,500.

NIGHTLY WATCH ACTS, 1755–6.

Many ineffectual attempts having been made to establish an efficient nightly watch by corporate ordinances, the Common Council in 1755 promoted a Bill in Parliament empowering them to carry out that object and to levy a rate for the maintenance of the force. The measure received the Royal Assent, but proved to be unworkable, and an amended Act was

obtained in the following year. Under its provisions the number of watchmen, fixed at 300 in the first statute, was reduced to 150, and in practice the force appointed by the Aldermen was further diminished to 115. The men were to be on duty for eight hours nightly in winter, and seven in summer. The expense was to be defrayed by a rate levied on householders liable to pay two pence per week to the poor; and the ratepayers were discharged from the statutable liability to keep "watch and ward." This Act remained in force until the establishment of the Police force in 1836.

BRISTOL BRIDGE ACT, 1760.

A Bill empowering a body of trustees to rebuild Bristol Bridge, demolish St. Nicholas's Gate, and widen some of the adjoining streets, was promoted in 1760 by the Corporation, who expended £396 in obtaining Parliamentary sanction. The expense of the undertaking, which was very large owing to the destruction of about thirty houses standing on the old bridge and part of the neighbouring shambles, was defrayed by a due on exports and imports, a sixpenny rate on household property, and a bridge toll. The new structure was opened in September, 1768. The Act further authorised the erection of a bridge connecting

Temple Street with Dolphin Street, but this project was abandoned.

STREETS IMPROVEMENT ACT, 1766.

The progress of the new bridge compelled the Corporation to consider the urgent necessity of further improvements for facilitating the ever-increasing traffic in the narrow and crowded thoroughfares of the city. In the result, the Common Council adopted a variety of proposals, which in their magnitude and importance were unprecedented in local history. The Bill prepared for introduction into Parliament in the Session of 1766 sought for powers to open a commodious approach to the bridge from the eastern and northern parts of the city by the demolition of the remaining shambles and other hovels, and the laying out of a wide and handsome street (Bridge Street) on the site; the formation of new streets from Dolphin Lane to Broadmead (Dolphin Street and Union Street) involving the removal of St. Peter's Cross; the construction of an entirely new street (by private enterprise) from Corn Street to the Drawbridge (Clare Street) requiring the destruction of St. Leonard's Church and Gateway, and the opening of another new thoroughfare (also by private persons) from Stokes Croft to Brunswick Square (Cumberland Street). In

addition to these extensive designs, the Bill applied for power to demolish Lawford's Gate and Small Street Gate, and to remove many old buildings obstructing traffic in various localities. The Act received the Royal Assent in May, 1766, and many of the improvements were forthwith commenced. On the removal of St. Leonard's Church, in 1771, the parishioners betook themselves to St. Nicholas's, the two parishes having been united by statute. In 1786 the Bridge trustees obtained an Act for laying out a new thoroughfare (Bath Street) from the Bridge to Temple Street.

THE GRAMMAR SCHOOL AND QUEEN ELIZABETH'S HOSPITAL ACT, 1769.

It has been already stated (p. 136) that on the foundation of Queen Elizabeth's Hospital the Corporation provided accommodation for the inmates by conveying to it, "for ever," the mansion house and appurtenances of the suppressed Gaunt's Hospital. (The buildings were reconstructed on an enlarged scale in 1703 by public subscription, to which Edward Colston contributed £500.) The Grammar School, also under the management of the Corporation, was placed by its founder, Robert Thorne, in a large house originally built for another abolished institution, the Hospital of St. Bartholomew, in Christmas Street.

In 1767, under circumstances narrated in the "Annals of Bristol in the Eighteenth Century," p. 374, the Common Council resolved that the schools should exchange places, and that the building in Christmas Street should be vested in the governors of Queen Elizabeth's Hospital, while the handsome mansion in Unity Street should become the property of the governors of the Grammar School. The scholars in the two institutions were immediately removed to their new quarters. The whole transaction being manifestly illegal, the Common Council, two years later, in promoting a Bill in Parliament for power to alter the times of holding the great fairs, inserted clauses in the measure empowering them to set about the changes that had been already carried out. The Bill received the Royal Assent.

THE COUNCIL HOUSE ACT, 1788.

The Common Council, being impressed with the desirability of enlarging the diminutive Council House, erected in 1704, obtained Parliamentary powers in 1788 to acquire St. Ewen's Church, which stood immediately in the rear of the civic building, and to unite the little parish to that of Christ Church. Mainly through financial impediments, the reconstruction of the Council House was deferred for upwards of thirty years.

BRISTOL DOCK ACT, 1803.

After intermittent deliberations, extending over nearly half a century, the Common Council finally determined, in 1802, to take no action towards repairing the admitted serious deficiency of the shipping accommodation of the port. In consequence of this decision, a Bill was introduced into Parliament in 1803, under the auspices of the Merchant Venturers' Society, empowering a number of citizens to form a Bristol Dock Company, with the object of constructing an extensive Floating Harbour. The original capital of this combination was fixed at £300,000, but the cost of the enterprise, which involved the excavation of a new course for the Avon, over two miles in length, vastly exceeded the estimates, the actual outlay on the undertaking being £600,000. The Float was completed on May 1st, 1809. A third Supplementary Act for raising additional capital was obtained in the same year.

REDUCTION OF THE TOWN DUES ACT, 1825.

An Act, promoted by the Common Council, was passed in 1825, empowering that body to make reductions in the Town and Mayor's Dues, the onerous character of which had been long the subject of complaint. After the statute had been obtained, the

Corporation made considerable abatements, as may be briefly shown by the fact that whilst the average yearly amount received in the five years before the Act was £5454, the average sum collected in the five years after the enactment was £2352. Many merchants, however, maintained that the charges were in excess of those of other rival ports, and further contended that the Corporation had no legal right to demand any shipping dues in excess of the Murage, Quayage, and Pavage tolls that were granted by the Crown in ancient charters (see p. 114). The latter contention resulted in an action at law, tried in 1828, when the jury returned a verdict for the Corporation.

RE-ORGANISATION OF THE CORPORATION, 1836.

Under the provisions of the Municipal Reform Act of 1835, the old Corporation of Bristol, which, whatever might have been its original constitution, had become for many centuries a self-elected body, and, during the Parliamentary conflict on the Town Dues Bill, had claimed the entire civic estates as its personal property, came to an end on December 31st of that year. On the following day, a new Council, consisting of forty-eight gentlemen, elected by the ratepayers of three years' standing, held its first meeting, when the

appointment of sixteen Aldermen completed the re-organised Corporation. The election of a Mayor and one Sheriff—instead of two, as before—immediately followed. The area of "The City and County of Bristol" was extended by the Act from 755 to 4452 acres by the absorption of the parish of Clifton, the District of St. James and St. Paul, the out-parish of St. Philip, and the urban portions of Westbury and Bedminster parishes.

The new Corporation was required by the Act to undertake the management and maintenance of an efficient police force (since supplemented by a police fire-brigade). The arrangements for gas lighting in the heart of the city were also improved, though oil lamps were common in the suburban districts so late as 1846. But the sanitary regulations continued defective until legislative powers had been obtained in 1851, by which the city was brought under the provisions of the Health of Towns Act, the paving commissioners in the city, and the watching bodies in Clifton and the District, being abolished, and the Council given sole jurisdiction over streets, sewers, lighting, scavenging, road watering, etc. Increased powers for sanitary purposes were obtained in 1865, under the provisions of the Local Government Act, and in 1872, when the Council became the Sanitary

Authority, as required by the Public Health Act of that year.

Taking advantage of other general statutes, the Council has, from time to time, undertaken various other additional duties tending to promote the well-being of the community. It is impossible, in a work of this character, to offer a detailed statement of the work effected, but three or four subjects may be briefly noticed. The first public baths and wash-houses, established on the Weir in 1850, have been supplemented by similar institutions in all the suburban districts. The old City Library, rescued from the hands of a private society, was made freely accessible to all classes in 1856; and in 1874, when the provisions of the Public Libraries Act were brought into operation, it became the centre from which eight free branch libraries successively radiated. In 1893, the Council took over an important public building known as the Museum and Library, which, with its extensive and valuable collections, was generously surrendered by its proprietors, and the institution is now maintained for the free use of the inhabitants. Two other noble edifices, the Municipal Art Gallery and the Reference Library—princely gifts made to the city by two private individuals—will shortly be in the hands of the Corporation, and will be also maintained for the

benefit of the public. The acquisition of Clifton and Durdham Downs for the enjoyment of all classes will be noticed presently. A gift of a public park at Bedminster was accepted in 1884 by the Council, which shortly afterwards purchased land for a spacious park at Eastville, and others known as Victoria Park, St. Andrew's Park, and Cotham Gardens ; St. George's Park being a more recent acquisition. Sundry gardens and recreation grounds have been laid out in other localities. Finally, Ham Green House, Clift House, and two or three other buildings have become well equipped hospitals for persons suffering from infectious diseases, and entail a large yearly expenditure.

Under an Act passed in 1902, the School Boards throughout the provinces were abolished, and their functions, as well as the maintenance of denominational schools, were transferred, as in other boroughs, to the Corporation.

[The two buildings referred to above—the Municipal Art Gallery and Museum of Antiquities and the Central and Reference Library—were completed about the same time. The Bristol Art Gallery was opened on February 15th, 1905, and the Central and Reference Library on June 20th, 1906. Since these dates striking evidence has been afforded of the usefulness of these Institutions and of the estimation in which they are held by the public.]

STREET IMPROVEMENT ACTS, 1840, &c.

Only the chief city improvement projects of the last half century can be here enumerated. The first Streets Improvement Act, obtained by the Council in 1840, was of a very modest character, the measure giving power to borrow £15,000 for the purpose of opening a new street (Phippen Street) in Redcliff parish. A gift of £10,000, made to the Corporation some years previously by Mr. William Weare towards the improvement of various streets, was directed by the Act to form part of a fund to be called the Improvement Fund. A second statute of greater importance was obtained in 1845, but its powers were suffered to expire by effluxion of time. In 1865, a much needed improvement was made in the carriage road to Rownham, by the opening of a new thoroughfare from College Green to Hotwell Road, passing by an archway over College Street, and, in the following year, schemes for throwing a viaduct over the lower part of Park Street, for an entirely new street (Victoria Street) from Bristol Bridge (which was widened) to the Railway Station, for another (Perry Road) from the west end of Maudlin Street to the Red Lodge, and for a direct road from Old Market Street to Stokes Croft, were ordered to be carried out. In 1868, an Act was obtained, sanctioning the construction of a new street

(Colston Street) from Colston Hall to Maudlin Street, and another from Victoria Square to Regent Street, Clifton, together with multitudinous minor schemes for removing impediments to traffic in other districts. Still more costly proposals obtained Parliamentary approval in 1877, the plans embracing the reconstruction of Baldwin Street, the widening of Redcliff Street throughout its entire length, and extensive alterations at Black Boy Hill, Back Street, and many other thoroughfares. In 1891, an Act was passed empowering the Corporation to enclose and cover over that portion of the Floating Harbour extending from the Stone Bridge to the west end of New Baldwin Street, and to erect a permanent bridge on the site of the Drawbridge. A moiety of this bridge was opened in March, 1893, and the covered area of the Float, after the adjoining roads had been widened, was transformed into an ornamental shrubbery, called Colston Avenue. Extensive improvements were about the same time effected in St. Augustine's parish. In August, 1894, the Council approved of proposals for street improvements in almost every part of the city, at an estimated outlay of £85,000, about one-half of that sum being devoted to the widening of the eastern section of Wine Street. The schemes, after receiving Parliamentary sanction, were energetically carried

out. The aggregate outlay on town improvements made between 1866 and 1901 exceeded £900,000.

DOCK PURCHASE ACTS, 1848, &c.

An Act sanctioning the purchase by the Corporation of the estate of the Bristol Dock Company, received the Royal Assent in June, 1848, and the transfer of the Floating Harbour and other works took place in the following August. The former proprietors of the undertaking were guaranteed a rent-charge of £2 12s. 6d. per cent. on their share capital of £260,000, and interest at 5 per cent. on the sum of £256,000 raised by loans. (A sinking fund amounting to nearly £80,000 had reduced the original capital.) A new table of dock dues was adopted soon afterwards, making an average reduction of 50 per cent. on vessels, and of 20 per cent. on goods, but the charges on upwards of 500 (increased in the following year to 850) articles of merchandise were entirely abolished. The new policy caused a rapid improvement in local trade and commerce.

Development was, however, subsequently retarded by revolutionary changes adopted by shipowners. In 1801 a Bristol vessel of 500 tons was regarded as of phenomenal dimensions. In 1858, Mr. Brunel had under construction a ship of 22,000 tons burden,

which he confidently predicted would be the model merchantman of the future. Even at that date, vessels of 2,000 tons were actually afloat; and it was not unusual for a large ship, bound to Bristol, to lie some days at Kingroad, through the insufficient depth of the Avon tides. The necessity of providing dock accommodation at the mouth of the river was thus gradually forced upon the attention of foreseeing citizens, and in 1864, an Act was obtained by some enterprising men for the construction, by a private company, of a dock at Avonmouth. The undertaking was completed and opened in February, 1877. An Act for excavating a dock at Portishead, promoted by a rival company, was procured in 1871, and, the Corporation having lent its patronage to the scheme by voting £100,000 towards the expense, the basin was opened in June, 1879.

The completion of the new docks speedily gave rise to a severe competition, not merely between themselves, but with the Bristol Docks, for the mercantile traffic of the port, and a deplorable conflict raged for several years. At length, through an arrangement, effected by Mr. (afterwards Sir) Joseph D. Weston, the Corporation, by virtue of an Act passed in 1884, came into possession of the two Channel docks in September of that year, £550,000 being paid for the

Avonmouth undertaking, and £250,000 for that at Portishead. Three-fourths of the civic grant made to the latter concern were lost.

After the above amalgamation, the Council, from time to time, obtained Parliamentary sanction for the expenditure, by the Docks Committee, of an aggregate sum of about a million sterling in improving the Channel docks, the Floating Harbour, and the Avon; and the shipping trade of the port so rapidly increased that the necessity of additional accommodation again became urgent. In 1901, the Council resolved on the promotion of a Bill authorising the construction of an extensive dock on Dunball, with an entrance lock 850 feet in length, and suitable warehouses and other appliances, the outlay being estimated at nearly £2,000,000. The measure became law in the following year, and, after a contract had been made for the works with Sir John Aird & Comp., the first sod of the vast excavation was cut by the Prince of Wales on March 5th, 1902.

[The construction of the enormous Dock and the adjacent buildings occupied six years, and on Thursday, July 9th, 1908, it was declared open by His Majesty King Edward VII., after whom the Dock is named, "The Royal Edward Dock." The King was accompanied by Her Majesty Queen Alexandra and H.R.H.

Princess Victoria, and on the occasion of their visit to the City as well as at the actual opening of the Dock, they were most enthusiastically received. This opening of the Dock was significant for several reasons, one being that it was performed by the reigning Monarch, whose predecessors, as this volume shows, had granted many Charters during the long and varied history of the City.

PURCHASE OF THE DOWNS ACT, 1861.

The right of the public to ramble freely over the open common known as Durdham Down, being apparently in jeopardy, the Council, in 1860, entered into negotiations with the lords of the manor of Henbury, who claimed the ownership of 212 acres of the land, and also with the Merchants' Society, the proprietors of the remaining space and of the adjoining common known as Clifton Down. The Merchant Venturers, who had always carefully protected the rights of the public, expressed willingness to co-operate in guaranteeing those rights in perpetuity, whilst the lords of Henbury consented to convey their estate in Durdham Down to the Corporation in fee simple, in consideration of receiving £15,000. An Act sanctioning these arrangements received the Royal Assent in 1861. The area thus secured for the perpetual enjoyment of

the citizens is 442 acres in extent; and the Corporation provides a competent yearly sum for the guardianship and improvement of the property.

ELECTRIC LIGHTING, 1890.

Under the provisions of a general Act, the Council, in 1890, resolved on exercising the powers conferred by that measure, by undertaking the introduction of electric lighting throughout the city. The cost of the required buildings and plant was estimated in 1891 at £66,000, it being then proposed to illuminate the principal streets with 100 arc lamps of 2,000 candle power, and to offer a supply of 10,000 incandescent lights of 16 candle power to public institutions, tradesmen and residents within that area. The undertaking was sufficiently advanced to permit the illumination of the building erected on the site of Colston Avenue for a great Industrial Exhibition, opened on August 28th, 1893. The first street arc lamps were lighted on and about Bristol Bridge in the following November. The system rapidly became popular, and the demands for its extension had to be met by repeated augmentations of the apparatus. In March, 1903, the authorised capital had increased to £587,965; and while 675 public arc lamps had then been sanctioned by the Council, the number of lights supplied to private

customers rose in the following September to 153,804. A further considerable revenue was being derived at the latter date from the supply of electric force to manufactories, 1638 horse power being then provided for motor purposes.

[The later development of this Department is shown by the following extract from the report of the Committee which deals with the year ending March 25th, 1909 :—

"The number of consumers on March 25th, 1909, was 3,218, being a net increase of 122 during the year. The total connections to the mains are equivalent to 502,209 30-Watt lamps (as compared with 409,424 at the corresponding period of last year), made up as follows, viz. :—

253,113 taking energy at the power rate,

240,580 taking energy at the lighting rate,

8,516 representing the public street lighting,

this being an aggregate increase equivalent to 92,785 lamps, as follows :—

Power Connections	.. ..	76,493
Private Lighting	.. ..	16,292
Public Lighting	.. ..	Nil.

The number of units sold was 8,110,957, being an increase of 460,883."]

FURTHER EXTENSION OF THE CITY BOUNDARIES, 1895–97.

In the Parliamentary Session of 1895 the Corporation promoted a Bill to extend the municipal area of the city to about 21,000 acres by the absorption of the parishes of Horfield, Stapleton, Shirehampton, St. George, and Kingswood, together with those parts of Westbury, Henbury, Mangotsfield, Brislington, Bedminster, and Long Ashton which were rapidly becoming urban. A detached fragment of the Somerset parish of Easton-in-Gordano, locally known as Dunball "Island," but now actually attached to Gloucestershire, was also included in the measure. After hearing much evidence the select committee of the House of Lords excised from the Bill the parish of Long Ashton, part of Bedminster, the whole of Mangotsfield, all those parts of Horfield outside the Parliamentary boundary, the portions of Westbury which included Stoke Bishop, a part of Henbury, and the whole of Shirehampton parish, excepting Avonmouth Dock and a small area adjoining it. All the wealthier residential districts being thus cut off, the promoters declined to be burdened with the populous eastern sections of the original plan, and the actual extension affected by the measure, as it received the Royal Assent, was limited to Avonmouth and Dunball. The

Act, which cost the city £4,300, also empowered the Corporation to collect the Borough Rate—previously collected by the Corporation of the Poor—which enabled the Council to effect an economical consolidation of local burdens.

In 1897 another Boundaries Extension Bill was laid before Parliament, by which powers were sought for enlarging the municipal area to 13,594 acres, the previous proposals to include Kingswood, Staple Hill, Shirehampton, the village of Westbury, Leigh Woods, and Ashton Park being withdrawn. The Bill passed the Upper House, but the Select Committee of the Commons refused to include Sneyd Park, Stoke Bishop, and Northern Horfield, reducing the aggregate municipal area to 11,407 acres. With these alterations the Bill received the Royal Assent. The Act increased the number of Councillors to 63, and the Aldermanic body to 21. It also abolished the Incorporation of the Poor, in the place of which a Board of Guardians was established, having supervision of the entire city, now styled for rating purposes the "parish of Bristol."

[In 1901 and 1902 Acts were passed empowering the Corporation to construct a new Dock and other Works at Avonmouth, and to include within the City Boundaries the parts of Avonmouth affected by that scheme.

In 1904 a further Act was obtained by which the whole of Shirehampton, Westbury-on-Trym, part of Henbury, and the Upper part of Horfield (including districts that were formerly excluded) were added. The number of acres thus included within the City Boundaries reached a total of 17,004.]

No. 58.* GRANT OF A LORD MAYOR, 1899.

The latest royal charter granted to the city is dated June 21st, 1899, and its text, given below, fitly brings this work to a conclusion :—

VICTORIA, by the grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, To all to whom these presents shall come, greeting. KNOW YE, that our will and pleasure is, And we do hereby declare and ordain, that from and after the date of these presents the CHIEF MAGISTRATE now and for the time being of the City of Bristol shall be styled, entitled, and called LORD MAYOR OF BRISTOL. And we do hereby authorise and empower the Chief Magistrate of the said city of Bristol now and for the time being henceforth at all times to assume and use, and to be called and named by, the style, title, and appellation of Lord Mayor of Bristol, and to enjoy and use all and singular the rights and privileges, pre-eminences, and advan-

tages to the degree of a Lord Mayor in all things duly and of right belonging. IN WITNESS whereof we have caused these our letters to be made patent. WITNESS ourself at Westminster the twenty-first day of June in the sixty-third year of our reign.

By warrant under the Queen's signature,

MUIR MACKENZIE.

CHARTER OF BRISTOL UNIVERSITY.

[His Majesty King Edward VII on the occasion of opening the Royal Edward Dock, graciously received an address from the Authorities of University College, in which they prayed the granting of a Charter incorporating a Bristol University. His Majesty was pleased to express his approval of the principle involved, and undertook to refer the matter to his Privy Council. The Charter has now been granted, the formalities have been completed, and the Bristol University has been brought into existence. Although not a Civic Charter the whole City is interested in this auspicious Grant, and the Corporation has taken part in the establishment of the University by subscribing a liberal sum annually towards its maintenance, and for the provision of scholarships.]

Abstract of the Charters, etc.

Council House Series.	Date.	Reign.		Page.
	1155	Hen. II.	First known Charter .. .. Charter perished, but text preserved in Confirmation by Edw. I. and his successors. Charter relieves the Burgesses of Bristol " from the payment of toll and passage and all custom throughout my whole land of England, Normandy and Wales."	3
	1164	Hen. II.	Charters to Redcliff .. .. Charter not in existence, but copied into Little Red Book about 1344. Grants to the King's men dwelling in the Marsh all the privileges enjoyed by Bristolians. Another Charter granted by Robert, son of Harding. Grants and confirms all the provisions of the above Charter of the King. This also was copied into the Little Red Book.	6
			A further Charter was granted by Maurice, son of the above, when he succeeded his father. This also is in the Little Red Book.	8
	1172	Hen. II.	Grant of Dublin to the men of Bristol .. .. .. This grants to " his men of Bristol " the City of Dublin " for them to inhabit." The original is in Dublin, but it has been reproduced. It provides that the Bristolians were to hold their gift " wholly, fully, and honourably, with all the liberties and free customs that they had in their native town,"	8

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